

Washington, Thursday, September 18, 1952

## TITLE 6-AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Form Ownership Loans
[Administration Letter 260 (443)]

PART 332-PROCESSING INSURED LOANS

EFFECTIVE DATE OF MORTGAGE INSURANCE FOR INSURED LOANS FROM STATE RURAL REHABILITATION CORPORATION FUNDS

The last sentence of paragraph (h) of § 332.10, Title 6, Code of Federal Regulations (17 F. R. 1079), is amended to provide that the date of loan closing will be inserted in the insurance endorsement on the promissory note as the effective date of the insurance of the mortgage. As amended, paragraph (h) will read as follows:

§ 332.10 Closing of loan. (h) The due date of the first installment on the loan will be the first March 31st following the date of the loan closing. The amount of the first installment, not to exceed 4.326 percent of the loan, will be agreed upon mutually by the County Supervisor and the borrower, taking into consideration the borrower's financial circumstances, and the extent to which he will receive income from the farm during the calendar year preceding the date of the first installment. Whenever possible, the first installment should be not less than the interest that will accrue on the loan from the date of closing to the first March 31st thereafter. In special cases, however, where the borrower will not have income from his farm during the calendar year preceding the first due date, a nominal payment of less than the interest may be accepted. The County Supervisor should advise the borrower, in the event of disagreement, that it is the duty of the County Supervisor to determine the amount of the first installment based on the foregoing conditions. The promissory note will be dated as of the date of loan closing, except when the loan is made from State Rural Rehabilitation Corporation funds under an agreement executed pursuant to section 2 (f) of the Rural Rehabilitation Corporation Trust Liquidation Act. In such case the note will be dated with

the same date appearing on the United States Treasury check for the loan, and the date of the first repayment installment will be the following March 31. The date of loan closing will be inserted in the insurance endorsement on the promissory note as the effective date of the insurance of the mortgage.

(Sec. 41, 60 Stat. 1066; 7 U. S. C. 1015)

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

SEPTEMBER 5, 1952.

Approved: September 12, 1952.

C. J. McCormick, Acting Secretary of Agriculture.

[F. R. Doc. 52-10164; Filed, Sept. 17, 1952; 8:52 a, m.]

Subchapter F-Miscellaneous Regulations
[FHA Instruction 447.1]

PART 383-ORCHARD LOAN PROGRAM

REVISED APPLICATION AND CERTIFICATION FORMS

Section 383.9 (a), Title 6, Code of Federal Regulations (15 F. R. 6905) is amended to provide for the use of Form FHA-197, "Application for FHA Services," Form FHA-197A, "Report on Application for Loan," and Form FHA-910, "Statement of Loss and Certifications," in lieu of Form FHA-202, "Application and Certifications for Disaster Loan." The section as amended reads as follows:

§ 383.9 Loan forms and routines—
(a) Applications. Applications for orchard loans will be made to the county office of the Farmers Home Administration. The applicant will be required to execute Form FHA-197, "Application for FHA Services," Form FHA-197A, "Report on Application for Loan," and Form FHA-910, "Statement of Loss and Certifications." In the case of applications for subsequent orchard loans, Form FHA-197 will be required only when the borrower has changed farms since his

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last orchard loan was received, and Form FHA-910 will not be required if the purpose of the loan is to supplement an orchard loan previously made to cover the year's operations.

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(R. S. 161; 5 U. S. C. 22)

[SEAL] DILLARD B. LASSETER,
Administrator,
Farmers Home Administration.

SEPTEMBER 5, 1952.

Approved: September 12, 1952.

C. J. McCormick, Acting Secretary of Agriculture.

[F R. Doc. 52-10163; Filed, Sept. 17, 1952; 8:52 a. m.]

#### TITLE 7-AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices), Department of Agriculture

Subchapter A—Commodity Standards and Standard Container Regulations

PART 44—UNITED STATES STANDARDS FOR GRADES OF EDIBLE SUGARCANE MOLASSES

In F. R. Doc. 52-7571 appearing in the issue for Thursday, July 10, 1952, (17 F. R. 6181), in the second column on page 6181, line fourteen of paragraph (b) and line 5 in the third column on page 6183, paragraph (c) of § 44.3 are corrected to have the total sulfites read as follows: "not more than 250 parts".

This supersedes the correction appearing in the Wednesday, August 6, 1952, issue (17 F. R. 7135).

Issued this 15th day of September 1952.

[SEAL] GEORGE A. DICE, Deputy Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-10198; Filed, Sept. 17, 1952; 8:58 a. m.]

Subchapter C—Regulations and Standards Under the Farm Products Inspection Act

PART 51—FRUITS, VEGETABLES AND OTHER PRODUCTS (INSPECTION, CERTIFICATION AND STANDARDS)

U. S. STANDARDS FOR FLORIDA TANGERINES

On July 31, 1952, a notice of proposed rule making was published in the Federal Register (17 F. R. 7017) regarding proposed United States Standards for Florida Tangerines.

A period of thirty days was allowed for submitting written data, views and arguments for consideration in connection with the proposed standards. After consideration of all relevant matters presented, including the proposal set forth in the aforesaid notice of rule making, the following United States Standards for Florida Tangerines are hereby promulgated under the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1953 (Pub. Law 451, 82d Cong., approved July 5, 1952).

§ 51.417 Standards for Florida Tangerines—(a) Grades—(1) U. S. Fancy. U. S. Fancy consists of tangerines which are mature, firm, and well formed, and which are free from soft bruises, bird pecks, unhealed skin-breaks, and decay, and free from damage caused by ammoniation, creasing, dryness or mushy condition, green spots or oil spots, pitting, scale, sprouting, sprayburn, sunburn, unsightly discoloration, buckskin, melanose, scars, scab, dirt or other foreign materials, disease, insects, or mechanical or other means.

(i) Each fruit in this grade shall be highly colored.

(ii) In this grade not more than onetenth of the fruit surface, in the aggregate, may have a light shade of brown discoloration caused by rust mite, or an equivalent of this amount in appearance when the fruit is discolored by any cause. (See tolerances for defects, paragraph (c) (1) of this section.)

(2) U. S. No. 1. U. S. No. 1 consists of tangerines which are mature, firm, and well formed, and which are free from soft bruises, bird pecks, unhealed skin-breaks, and decay, and free from damage caused by ammoniation, creasing, dryness or mushy condition, green spots or oil spots, pitting, scale, sprouting, sprayburn, sunburn, unsightly discoloration, buckskin, melanose, scars, scab, dirt or other foreign materials, disease, insects, or mechanical or other means.

(i) Each fruit in this grade shall be

fairly well colored.

(ii) In this grade not more than one-third of the fruit surface, in the aggregate, may have a light shade of brown discoloration caused by rust mite, or an equivalent of this amount in appearance when the fruit is discolored by any cause. (See tolerances for defects, paragraph (c) (1) of this section.)

(3) U. S. No. 1 Bronze. The requirements for this grade are the same as for U. S. No. 1 except for discoloration. In this grade at least 75 percent, by count, of the fruits shall show some discoloration, and more than 20 percent, by count, of the fruits shall have more than one-third of their surface affected with bronzed russeting: Provided, That no discoloration that exceeds the amount allowed in the U. S. No. 1 grade shall be permitted unless such discoloration is caused by thrip, wind scars, or rust mite. (See tolerances for defects, paragraph (c) (1) of this section.)

(4) U. S. No. 1 Russet. The requirements for this grade are the same as for U. S. No. 1 except for discoloration. In this grade at least 75 percent, by count, of the fruits shall show some discoloration, and more than 20 percent, by count, of the fruits shall have more than one-third of their surface affected with discoloration. (See tolerances for defects, paragraph (c) (1) of this section.)

(5) U. S. No. 2. U. S. No. 2 consists of tangerines which are mature, fairly firm, and fairly well formed, and which are free from soft bruises, bird pecks, unhealed skin-breaks, and decay, and free from serious damage caused by ammoniation, creasing, dryness or mushy condition, green spots or oil spots, pitting, scale, sprouting, sprayburn, sunburn, unsightly discoloration, buckskin, melanose, scars, scab, dirt or other foreign materials, disease, insects, or mechanical or other means.

(i) Each fruit in this grade shall be

reasonably well colored.

(ii) In this grade not more than twothirds of the fruit surface, in the aggregate, may be affected with light brown discoloration, or may have the equivalent of this amount in appearance when the fruit has lighter or darker shades of discoloration. (See tolerances for defects, paragraph (c) (1) of this section.)

(6) U. S. No. 2 Russet. The requirements for this grade are the same as for U. S. No. 2 except that more than 20 percent, by count, of the fruits shall have in excess of two-thirds of their surface, in the aggregate, affected with light brown discoloration. (See tolerances for defects, paragraph (c) (1) of this section.)

(7) U. S. No. 3. U. S. No. 3 consists of tangerines which are mature, not flabby and not seriously lumpy, and which are free from unhealed bird pecks, unhealed skin-breaks, and decay, and free from very serious damage caused by bruises, ammoniation, creasing, dryness or mushy condition, pitting, scale, sprouting, sprayburn, sunburn, unsightly discoloration, melanose, scars, scab, dirt or other foreign materials, disease, insects, or mechanical or other means. (See tolerances for defects, paragraph (c) (2) of this section.)

(b) Unclassified. Unclassified consists of tangerines which have not been classified in accordance with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

(c) Tolerances. In order to allow for variations incident to proper grading and handling in each of the foregoing grades, the following tolerances are pro-

vided as specified:

- (1) U. S. Fancy, U. S. No. 1, U. S. No. 1 Bronze, U. S. No. 1 Russet, U. S. No. 2 and U. S. No. 2 Russet. Not more than a total of 10 percent, by count, of the fruits in any lot may fail to meet the requirements of the grade other than for discoloration, but not more than onehalf of this amount, or 5 percent, shall be allowed for very serious damage other than that caused by dryness or mushy condition, and not more than one-twentieth of the tolerance, or one-half of 1 percent, shall be allowed for decay at shipping point: Provided, That an additional tolerance of 21/2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination. In addition, not more than a total of 10 percent, by count, of the fruits in any lot may not meet the requirements relating to discoloration but not more than 2 percent shall be allowed for serious damage by unsightly discolorstion.
- (2) U. S. No. 3. Not more than a total of 15 percent, by count, of the fruits in any lot may fail to meet the requirements of this grade, but not more than one-third of this amount, or 5 percent, shall be allowed for defects other than that caused by dryness or mushy condition, and not more than one-fifteenth of the tolerance, or 1 percent, shall be allowed for decay at shipping point: Provided, That an additional tolerance of 2 percent, or a total of not more than 3 percent, shall be allowed for decay en route or at destination.
- (d) Application of tolerances to individual packages. (1) The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations: Provided, That the averages for the entire lot are within the tolerances specified for the grade.
- For packages which contain more than 10 pounds and a tolerance of 10 percent or more is provided, individual

packages in any lot shall have not more than one and one-half times the tolerance specified. For packages which contain more than 10 pounds and a tolerance of less than 10 percent is provided, individual packages in any lot shall have not more than double the tolerance specified, except that at least one decayed or very seriously damaged fruit may be permitted in any package.

(ii) For packages which contain 10 pounds or less, individual packages in any lot are not restricted as to the percentage of defects, except that not more than one fruit which is decayed or very seriously damaged shall be allowed in

any package.

(e) Standard pack, (1) The tangerines in each container shall be packed in accordance with recognized methods. Each container shall be well filled and properly marked to indicate the size of the fruit. When the figures used to indicate size of fruit vary from the actual number of tangerines in the container, as in the case of fractional parts of boxes, the figures indicating size shall be followed by the letter "s" or the word "size", as, for example, "210's", or "210 size." Containers which are not so marked shall not be regarded as meeting requirements of "standard pack."

(i) Fruit in each container shall be of a size not less than the minimum diameters specified in Table I for the various packs. Packs other than those listed shall have a minimum diameter not less than that specified for the nearest count.

TABLE I

[Diameter in inches]

Pack:	Minimum
100	2156
120	211/16
150	2%6
178	2010
210	2%
246	2910
294	2

(ii) In order to allow for variations incident to proper sizing, not more than 10 percent, by count, of the fruits in any lot may be below the minimum size for the count as specified in Table I of this paragraph.

(f) Definitions. (1) "Mature" means the same as that term is set forth for tangerines in §§ 601.21 and 601.22, chapter 26492, Florida Statutes, known as the Florida Citrus Code of 1949.

- (2) "Firm" means that the flesh is not soft and the fruit is not badly puffy, and that the skin has not become materially separated from the flesh of the tangerine.
- (3) "Well formed" means that the fruit has the characteristic tangerine shape and is not deformed.
- (4) "Damage" means any defect which more than slightly affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as damage:
- (i) Ammoniation, when it is not specktype similar to melanose, provided that no ammoniation shall be permitted that detracts from the appearance of the individual fruit to a greater extent than

the amount of discoloration allowed for the grade;

(ii) Creasing, when it materially affects the appearance or shipping quality of the fruit;

(iii) Dryness or mushy condition, when mushy or distinctly dry to a depth of more than one-eighth inch in all segments at the stem end, or the equivalent of this amount, by volume, of mushy condition or dryness when occurring in any portion of the fruit;

(iv) Green spots or oil spots, when the appearance is affected to a greater extent than 10 green spots caused by scale, each of which is equivalent to the area of a circle one-eighth inch in diameter;

(v) Pitting, when materially affecting the appearance or shipping quality of

the individual fruit;

(vi) Scale, when occurring as a blotch and the aggregate area exceeds the area of a circle three-eighths inch in diameter, or any scale that detracts from the appearance of the individual fruit to a greater extent than the area permitted for a blotch. "Blotch" refers to actual scale and not the discolored area caused by scale;

(vii) Sprayburn, when causing the skin to become hard or when it materially affects the appearance of the fruit;

(viii) Sunburn, when causing the skin to become hard or when it materially affects the appearance of the fruit;

(ix) Unsightly discoloration, when the color or the pattern, or a combination of color and pattern, causes the fruit to have an unattractive appearance;

(x) Buckskin, when it detracts from the appearance of the fruit to a greater extent than the amount of discoloration allowed for the grade;

(xi) Melanose, when not small smooth speck-type, or any speck-type that detracts from the appearance of the fruit to a greater extent than the amount of discoloration allowed in the grade. Melanose that exceeds the amount allowed in the U. S. No. 1 grade is not permitted in the U. S. No. 1 Bronze grade:

(xii) Scars, when not smooth, or when causing any noticeable depression, or when detracting from the appearance of the fruit to a greater extent than the amount of discoloration allowed for the

grade; and,

(xiii) Scab, when not smooth, or when it affects shape, or when it detracts from the appearance of the fruit to a greater extent than the amount of discoloration allowed for the grade. Scab injury that exceeds the amount allowed in the U. S. No. 1 grade is not permitted in the U. S. No. 1 Bronze grade.

(5) "Highly colored" means that the ground color of each fruit is a deep tangerine color with practically no trace

of yellow color.

(6) "Discoloration" includes discoloration caused by rust mite, melanose, scars, scab, or any other means. Shades of discoloration which blend with the ground color of the fruit may be allowed on a larger area than that specified in the grade for light brown discoloration, and shades of discoloration which are more in contrast with the ground color shall be restricted to a lesser area, provided no discoloration may affect the

appearance to a greater extent than the amount of light brown discoloration specified for the grade. Tangerines which show discoloration caused by Tangerines melanose, scab, or any cause other than by thrip, wind scars, or by rust mite shall not be permitted in the U.S. No. 1 Bronze grade when such discoloration exceeds the amount allowed in the U.S. No. 1 grade. (See definition, "Bronzed Russeting", subparagraph (8) of this paragraph.)

(7) "Fairly well colored" means that the fruit may have green color which does not exceed the aggregate area of a circle 1 inch in diameter and that the remainder of the surface shows a good tangerine color with some portion of the surface showing a reddish tangerine

(8) "Bronzed russeting" means russeting caused by thrip, wind scars, or by rust mite, or similar russeting which is not readily distinguishable from that caused by rust mite. Discoloration caused by melanose, scab, etc. are not considered as "bronzed russeting" within the meaning of these standards but are regarded as defects when they exceed the amounts permitted in the U.S. No. 1 grade and are not permitted in the U. S. No. 1 Bronze grade.

(9) "Fairly firm" means that the flesh may be slightly soft but is not bruised or badly puffy, and that the skin has not become seriously separated from

the flesh of the tangerine.

(10) "Fairly well formed" means that the fruit may not have the shape characteristic of the variety but that it is

not badly deformed.

blush.

(11) "Serious damage" means any defect which seriously affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as serious damage:

(i) Ammoniation, when scars are cracked, or when dark and the aggregate area exceeds the area of a circle one-half inch in diameter, or when light colored and the aggregate area exceeds the area of a circle 1 inch in diameter;

(ii) Creasing, when it causes the skin

to be seriously weakened;

(iii) Dryness or mushy condition, when mushy or distinctly dry to a depth of more than one-fourth inch in all segments at the stem end, or the equivalent of this amount, by volume, of mushy condition or dryness when occurring in any portion of the fruit;

(iv) Green spots or oil spots, when the appearance is affected to a greater extent than 25 green spots, caused by scale, each of which is equivalent to the area of a circle one-eighth inch in

(v) Pitting, when seriously affecting the appearance or shipping quality of the

fruit:

(vi) Scale, when occurring as a blotch and the aggregate area exceeds the area of a circle one-half inch in diameter, or any scale that detracts from the appearance of the fruit to a greater extent than the area permitted for a blotch. "Blotch" refers to actual scale and not the discoloration caused by scale;

(vii) Sprayburn, when it has caused the skin to become hard, or when it seriously affects the appearance of the fruit;

(viii) Sunburn, when it has caused the skin to become hard, or when it seriously affects the appearance of the fruit;

(ix) Unsightly discoloration, when the color or the pattern, or a combination of both, causes the fruit to have a distinctly unattractive appearance;

(x) Buckskin, when it detracts from the appearance of the fruit to a greater extent than the amount of discoloration

allowed for the grade;

(xi) Melanose, when badly caked and the aggregate area exceeds the area of a circle one-half inch in diameter, or when lightly caked and the aggregate area exceeds the area of a circle 1 inch in diameter, or when unsightly, or when it detracts from the appearance of the fruit to a greater extent than the amount of discoloration allowed for the grade;

(xii) Scars, when not fairly smooth, or when causing any materially de-pressed areas, or when detracting from the appearance to a greater extent than the amount of discoloration allowed for the grade. Scars which are not fairly smooth, or which are materially depressed, are not permitted in either U.S. No. 2 or U. S. No. 2 Russet grades; and,

(xiii) Scab, when not fairly smooth, or when it materially affects the shape of the fruit, or when it detracts from the appearance to a greater extent than the maximum amount of discoloration al-

lowed for the grade.

(12) "Reasonably well colored" means that a good yellow or reddish tangerine color shall predominate over the green color on at least one-half of the fruit surface in the aggregate, and that each fruit shall show practically no lemon

(13) "Very serious damage" means any defect which very seriously affects the appearance, or the edible or shipping quality of the fruit. Any one of the following defects, or any combination of defects, the seriousness of which exceeds the maximum allowed for any one defect, shall be considered as very serious dam-

(i) Ammoniation, when scars are badly cracked, or when dark and the aggregate area exceeds the area of a circle I inch in diameter, or when light colored and it detracts from the appearance of the fruit to a greater extent than the area permitted for dark ammoniation:

(ii) Creasing, when causing the skin to be seriously weakened;

(iii) Dryness or mushy condition, when mushy or distinctly dry to a depth of more than one-fourth inch in all segments at the stem end, or the equivalent of this amount, by volume, of mushy condition or dryness when occurring in any portion of the fruit;

(iv) Pitting, when it very seriously affects the appearance or the shipping quality of the fruit:

(v) Scale, when it very seriously affects the appearance of the fruit;

(vi) Sprayburn, when it very seriously affects the appearance of the fruit;

(vii) Sunburn, when it very seriously affects the appearance of the fruit:

(viii) Unsightly discoloration, when the fruit has a very objectionable appearance caused by any means. The color or the pattern of the discoloration, or a combination of both, or a combination of defects may cause the fruit to have a very unsightly appearance;

(ix) Melanose, when caked to the extent that the appearance of the fruit

is very seriously affected;

(x) Scars, when so deep, rough, or unsightly that the appearance of the fruit is very seriously injured; and,

(xi) Scab, when it causes the fruit to be very seriously injured.
(14) "Diameter" means the greatest

dimension measured at right angles to a line from stem to blossom end of the

(g) Effective time. The United States Standards for Florida Tangerines contained in this section shall become effective thirty (30) days after the date of publication in the FEDERAL REGISTER.

(Sec. 205, 60 Stat. 1090, Pub. Law 451, 82d Cong.; 7 U. S. C. 1624)

Done at Washington, D. C., this 15th day of September 1952.

[SEAL] GEORGE A. DICE, Deputy Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 52-10199; Filed, Sept. 17, 1952; 8:59 a. m.]

#### TITLE 19—CUSTOMS DUTIES

# Chapter I-Bureau of Customs, Department of the Treasury

PART 10-ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

PART 18-TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

OFFICIAL SUPPLIES FOR U. S. DIPLOMATIC OFFICERS; DIRECT EXPORTATION

1. Revised information concerning countries whose governments accord reciprocal privileges to official supplies for United States diplomatic officers, consular officers, and other representatives has been published as T. D. 52847.

Accordingly, footnote 32 appended to § 10.30, Customs Regulations of 1943 (19 CFR 10.30), is amended to read as

"Information concerning countries whose governments accord such reciprocal privileges is published in T. D. 52847.

(Sec. 624, 46 Stat. 759; 19 U. S. C. 1624)

2. Existing regulations require a statistical copy of immediate exportation entries (customs Form 7512) only if the merchandise is not covered by some other form of entry, a statistical copy of which has been sent to the Section of Customs Statistics. The Bureau of the Census, Department of Commerce, wishes complete coverage in connection with immediate export entries and has formally asked that the regulations be amended to provide for a statistical copy of immediate export entries in every case. To accomplish this, § 18.25 (a), Customs Regulations of 1943 (19 CFR 18.25 (a)), is amended to read as follows:

(a) Except as otherwise provided for in \$ 9.11 (a) of this chapter, relating to exportation by mail, when no entry has been made or completed for merchandise in customs custody, or when the merchandise is covered by an unliquidated consumption entry, or when merchandise which has been entered in good faith is found to be prohibited under any law of the United States, and such merchandise is to be exported directly without transportation to another port, an entry on customs Form 7512 shall be filed in quintuple.

(R. S. 161, 261, sec. 624, 46 Stat. 759; 5 U. S. C. 22, 19 U. S. C. 66, 1624)

[SEAL]

Frank Dow, Commissioner of Customs.

Approved: September 12, 1952.

John S. Graham, Acting Secretary of the Treasury.

[F. R. Doc. 52-10190; Filed, Sept. 17, 1952; 8:56 a. m.]

#### TITLE 25-INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

Subchapter H-Forestry

PART 61-GENERAL FOREST REGULATIONS

ADVERTISEMENT OF SALES

Section 61.14 is amended to read as follows:

§ 61.14 Advertisement of sales. Sales of timber shall be made only after advertisement; provided that permit sales may be made without advertisement for stumpage not exceeding \$100 in value, pursuant to § 61.27, and that open-market sales to Indians may be made without advertisement for stumpage not exceeding \$5,000 in value, pursuant to \$61.17. The advertisement shall be approved by the officer who will approve the contract. Advertised sales shall be made under sealed bids, or at public auction, or under a combination thereof. If the estimated stumpage value of the timber offered does not exceed \$1,000 the advertisement may be made by posters and circular letters. If the estimated stumpage value exceeds \$1,000, the advertisement shall also be made in at least one newspaper of general circulation in the locality where the timber is situated. If the estimated stumpage value does not exceed \$10,000, the advertisement shall be for not less than 15 days; if the estimated stumpage value exceeds \$10,000 but not \$100,000, for not less than 30 days; and if the estimated stumpage value exceeds \$100,000, for not less than 60 days. If no contract is executed after such advertisement, the officer approving the advertisement may, within one year from the last day on which bids were to be received as defined in the advertisement, sell such timber in the open market upon the terms and conditions in the advertisement and at not less than the advertised value or the appraised value at the time of sale, whichever is greater, (Secs. 7, 8, 36 Stat. 857; 25 U. S. C. 406, 407)

JOEL D. WOLFSOHN,
Assistant Secretary of the Interior,
September 12, 1952.

[F. R. Doc. 52-10148; Filed, Sept. 17, 1952; 8:47 a. m.]

Subchapter L—Irrigation Projects: Operation and Maintenance

PART 130—OPERATION AND MAINTENANCE CHARGES

WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

SEPTEMBER 5, 1952.

On August 8, 1952, there was published in the daily issue of the FEDERAL REGIS-TER notice of intention to amend § 130.86 of Title 25, Code of Federal Regulations, dealing with the operation and maintenance charges on assessable lands at the Wapato Indian Irrigation Project, Yakima Indian Reservation, Washington. Interested persons were thereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or argument in writing to E. Morgan Pryse, Area Director, within 30 days from the date of publication of the notice. No views, data or arguments were submitted. Accordingly, § 130.86 of Title 25, Code of Federal Regulations, is amended as follows:

§ 130.86 Charges. Pursuant to the provisions of the acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387), the operation and maintenance charges on assessable lands under the Wapato Indian Irrigation Project, Yakima Indian Reservation, Washington, for the calendar year 1953 and subsequent years until further notice are hereby fixed as follows:

(a) Minimum charges for all tracts in noncontiguous single owner. ship. 87.25

(b) Flat rate upon all farm units or tracts for each accessable acre\_ 5.50

(38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387)

E. Morgan Pryse, Area Director.

[F. R. Doc. 52-10143; Filed, Sept. 17, 1952; 8:45 a. m.]

Subchapter R-Leases and Sale of Minerals

PART 186-LEASING OF TRIBAL LANDS FOR MINING

SALE OF OIL AND GAS LEASES

Section 186.3 (a) of the regulations in this part is hereby amended to read as follows:

§ 186.3 Sale of oil and gas leases. (a) At such times as the Secretary of the Interior, or his authorized representative, may direct, after being authorized by the tribal council, the superintendent shall cause notices to be posted or advertisements to be published for a period of not less than fifteen days, offering for sale at public auction or under sealed bids, or both, to the highest responsible bidder, oil and gas leases of specific tracts, each of which shall be in a compact body. As a guaranty of good faith the successful bidder shall deposit with the superintendent on the day of the sale, a certified check or bank draft drawn on a solvent bank in an amount not less than twenty per cent of the bonus bid and of the first year's rental. Unless such period shall have been extended by the superintendent for good and sufficient reason, within twenty days after the date upon which the lease is forwarded to the successful bidder for execution he shall return to the superintendent the same completely executed accompanied by the balance of the bonus and of the first year's rental. If the successful bidder fails to complete the lease or pay the full consideration within said period or extension thereof, or if the lease is disapproved through no fault of the lessor or of the Department, the amount of the bonus and rental deposited with the bid shall be forfeited, as liquidated damages, for the use and benefit of the Indian lessor.

> JOEL D. WOLFSOHN, Assistant Secretary of the Interior.

SEPTEMBER 12, 1952.

[F. R. Doc. 52-10147; Filed, Sept. 17, 1952; 8:47 a. m.]

# TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Supplementary Regulation 17, Interpretation 2]

CPR 22—Manufacturers' General Celling Price Regulation

SR 17—ADJUSTMENTS UNDER SECTION 402 (d) (4) OF THE DEFENSE PRODUCTION ACT OF 1950, AS AMENDED

INT. 2—COMPUTATION OF THE VALUE OF PRODUCTION (SECTION 11 (C))

The "value of production" is defined in section 11 (c) as a figure arrived at by multiplying the dollar amount of net sales during the applicable overhead period by the cost of goods produced and dividing the result by the cost of goods sold during the same period. In order to obtain the correct dollar amounts for the cost of goods produced and the cost of goods sold, it is necessary to make adjustments for the change in work-in-process inventory and finished goods inventory, respectively, between the beginning and end of the overhead period.

It has come to the attention of the Office of Price Stabilization that some manufacturers do not keep inventory records adequate to enable them to arrive at the exact data required for such a determination. In such cases, where the manufacturer does not maintain perpetual inventory records, or otherwise have inventory records for the be-ginning and end of these overhead periods, he must make a reasonable estimate, based on past experience, of the inventory figures required for a proper determination of the cost of goods produced and cost of goods sold during the period.

A manufacturer who finds it necessary to compute his value of production in this way should attach to his OPS Public Form 100 a statement setting forth in detail the methods used in arriving at the value of production figures based on such estimates of inventory,

704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

> HERBERT N. MALETZ, Chief Counsel. Office of Price Stabilization.

SEPTEMBER 17, 1952

[F. R. Doc. 52-10283; Filed, Sept. 17, 1952; 12:06 p. m.]

[Ceiling Price Regulation 171]

CPR 171-Celling Prices for Untreated EASTERN POLES AND PILING

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Ceiling Price Regulation 171 is hereby issued.

#### STATEMENT OF CONSIDERATIONS

This regulation establishes producers' dollars-and-cents ceiling prices for sales of untreated Southern Yellow Pine poles, anchor logs and reinforcing stubs, and Southern Yellow Pine, Cypress, Mixed Oak, White Oak and Mixed Hardwood piling produced in the part of the United States east of the one-hundredth meridian, except the portion of North Dakota and South Dakota east of that meridian. It also provides a method for determining ceiling prices for concentrators' sales of these items.

Poles and pilings are select peeled logs generally cut in longer lengths than saw logs. Poles are used to support telephone and electric distribution and transmission lines. Piling is used in the foundation of buildings, and in the construction of bridges, docks, and wharves. Specifications of the American Standards Association for poles and the American Society for Testing Materials and Federal Specification MMP 371 for piling require that these items be selected from trees that are free from defects and of a degree of straightness not required of saw logs. Because of these strict requirements, trees suitable for poles or piling are generally limited in number and scattered throughout a tract of timber. For this reason, and because poles and piling are cut and handled in longer lengths than saw logs, the entire operation of producing poles and piling is at every step more expensive than that involved in the production of saw logs. As a result, the prices paid for poles and piling normally are higher than those

paid for saw logs.

During 1947, the production of Southern Yellow pine poles was at a level of six million. In the face of this large production, there was in 1948 a general deferment in construction programs by utility companies, which resulted in excessive pole inventories, and a drop in prices. Notwithstanding the 1948 depressed market price for poles, there was an increased demand for Southern Yellow Pine lumber with correspondingly high prices. In 1949 there was an increase over the 1948 requirements for poles, but these requirements were mainly filled from 1948 surplus inventories and therefore had little effect on the market price for poles. In 1950, like 1948, there was again a very small demand for poles, which was accentuated by competition from lightweight steel towers. For these reasons the ceiling prices for poles, as frozen under the General Ceiling Price Regulation, were at a very low level and at an abnormal competitive relationship with lumber prices. Consequently, since that regulation has been in effect, trees suitable for poles and piling have been diverted into the manufacture of lumber.

Meanwhile, because of the expansion in the past 18 months of construction programs of electric transmission lines, coupled with the fact that the government has encouraged the exclusive use of wood poles in such programs instead of steel towers, there has been a great increase in the demand for poles, especially those of longer length. Dollars-andcents ceiling prices have already been established above GCPR levels for the Western poles under CPR 126 and CPR 155. The increase over the GCPR level of prices for the Western species was necessary to restore the normal competitive relationship with saw-logs of the same species.

This regulation restores the long term competitive relationship, in the area affected, between the prices of poles and piling and the prices of manufactured lumber. The ceiling prices established for Southern Yellow Pine poles are an average 15.6 percent higher than their GCPR level.

The basic ceiling prices established by this regulation are for untreated poles and piling, f. o. b. cars or boomed and rafted in towable waters. In addition, the regulation makes provision for delivered sales, with transportation charges computed on the basis of established weights set forth in the regulation. This regulation recognizes the traditional role of concentrators as principle suppliers of poles and piling. It, therefore, provides a method whereby concentrators may ascertain their ceilings by applying a dollar and cent markup to the producers' ceiling prices established by the regulation.

#### FINDINGS OF THE DIRECTOR OF PRICE STABILIZATION

In the judgment of the Director of Price Stabilization, the ceiling prices established by this regulation are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950. as amended.

So far as practical in the formulation of this regulation, the Director of Price Stabilization has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended; to prices prevailing during the period from May 24, 1950 to June 24, 1950, inclusive; to those prevailing during the period January 25 through February 24, 1951, as well as to the level of prices prevailing just before the issuance of this regulation; and to all relevant factors of general applicability.

In formulating this regulation, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendation. This consultation included two meetings with the Eastern Poles and Piling Industry Advisory Committee, and two meetings with its subcommittee.

Every effort has been made to conform this regulation to business practices existing with respect to the production. sale and distribution of poles and piling covered in the regulation. Insofar as any provisions of this regulation may operate to compel changes in those business practices, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention of evasion of this regulation,

#### REGULATORY PROVISIONS

1. What this regulation does,

2. Geographical applicability.

3. Explanation of zones.

Explanation of ceiling price provisions.
 Ceiling prices for Southern Yellow Pine

6. Ceiling prices for Southern Yellow Pine anchor logs and reinforcing stubs.

7. Ceiling prices for Southern Yellow Pine piling.

8. Ceiling prices for Cypress piling.
9. Ceiling prices for Mixed Oak and White Oak piling.

10. Ceiling prices for piling of Mixed Hardwood species. General notes to sections 7, 8, 9 and 10.

12. Selling on an averaging-out basis.

13. Concentrators' ceilings.

14. Inspection service. 15. Transportation charges.

16. Ceiling prices for special items.

17. Modification of proposed celling prices by

the Director of Price Stabilization. 18. Petitions for amendment.

19. Adjustable pricing.

Records.

Interpretations.

22. Prohibitions and violations.

23. Evasions.

24. Definitions.

AUTHORITY: Sections 1 to 24 issued under sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. Sup. 2154. Interpret or apply Title IV. 64 Stat. 803, as amended: 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

Section 1. What this regulation does. (a) This regulation establishes dollarsand-cents ceiling prices for producers' sales of untreated Southern Yellow Pine poles, anchor logs, and reinforcing stubs, and Southern Yellow Pine, Cypress, Mixed Oak, White Oak, and Mixed Hard-

wood piling produced in the part of the United States east of the 100th Meridian except the portion of North Dakota and South Dakota east of that Meridian. It also provides a method for determining ceiling prices for these items when they are sold by concentrators. The regulation divides the production area covered into three production zones for Southern Yellow Pine and Cypress items, and for each zone it sets specific ceiling prices. The celling prices established for Mixed Oak, White Oak and Mixed Hardwood items apply uniformly throughout the entire production area covered by this regulation.

(b) This regulation supersedes the General Ceiling Price Regulation, including Supplementary Regulation 87 to the GCPR, insofar as it pertains to the transactions covered by this regulation.

Sec. 2. Geographical applicability. The provisions of this regulation are applicable in the 48 States of the United States and the District of Columbia.

SEC. 3. Explanation of zones. The production zones for the Southern Yellow Pine and Cypress items covered by this regulation are:

(a) Zone A, which includes Missouri, Arkansas, Oklahoma, Texas, and the part of Louisiana west of the Mississippi River.

(b) Zone B, which includes South Carolina, Georgia, Florida, Alabama, Mississippi, Tennessee, Kentucky, Illinois, and the part of Louisiana east of the Mississippi River.

(c) Zone C, which includes North Carolina, Virginia, Delaware, Maryland, and West Virginia.

SEC. 4. Explanation of ceiling price provisions—(a) General. The basic ceiling prices for items covered by this regulation and set out in sections 5 through 10 are f. o. b. carload ceiling prices at a normal loading out point, or are ceiling prices that apply when you sell items boomed and rafted in towable waters at a normal loading out point, If your place of production or concentration yard is in one zone and your normal loading out point is in a different zone, your ceiling prices are the ceiling prices for the zone in which your normal loading out point is located. If you make delivery beyond a normal loading out point, section 15 permits you to make certain additions to the basic ceiling prices.

(b) Normal loading out point explained. The term "normal loading out point" means the siding or point on a railroad, and the booming and rafting grounds in towable waters, to which items covered by this regulation can be most cheaply transported by rail or raft from their place of production to their point of destination.

(c) Reduction for non-delivery at normal loading out point and nonperformance of services. (1) If you do not deliver your items as far as a normal loading out point, and you neither load them on cars nor boom and raft them, the otherwise applicable basic ceiling prices are reduced by an amount equal to the sum of (1) the cost of transporting the items from the place of delivery to

a normal loading out point, and (ii) depending on whether the normal loading out point is a rail point or siding or booming and rafting grounds, the cost of loading on cars or of booming and rafting the items involved.

(2) If, when you deliver your items to a normal loading out point or to other places beyond a normal loading out point, such as, a concentration yard, a treating plant, a job site or a storage yard, you neither load them on cars nor boom and raft them, the otherwise appropriate basic ceiling prices are reduced by an amount equal to the cost of whichever service you are required to perform at that normal loading point.

For the purposes of this paragraph, in computing the transportation cost, you must apply applicable published contract or common carrier rates; if there are no published rates, the actual cost of transportation must be used. In computing the loading or booming and rafting cost, you must apply applicable established commercial rates for such services; if there are no established commercial rates, the actual cost of performing such services must be used.

SEC. 5. Ceiling prices for Southern Yellow Pine poles.—(a) Basic ceiling prices. The basic ceiling prices and established weights for untreated rough peeled Southern Yellow Pine poles, produced according to American Standards Association specifications in effect on the effective date of this regulation are as follows:

Length		Weight	Pr	ice per p	ole
(feet)	Classes	(pounds per pole)	Zone A	Zone B	Zone.C
10	5 6	234 202	\$1,40 1,30	\$1,30 1,20	\$1,55 1,45
18	7 9 10 3 4 5	165 138 110 381 325 275 234	1. 20 1. 15 1. 05 2. 25 2. 05 1. 80 1. 70	1.10 1.05 .95 2.00 1.85 1.60 1.50	1.35 1.25 1.15 2.35 2.15 2.00 1.90
20	7 9 10 1 2 3 4 5	188 151 133 710 564 467 394	1.45 1.40 1.25 3.00 2.70 2.40 2.20 1.95	1.25 1.20 1.10 2.65 2.35 2.10 1.90 1.70	1,70 1,60 1,45 3,20 2,90 2,60 2,46 2,15
22	6 7 9 10 1 2 3 4 5	230 284 234 202 101 825 674 559 463 398	1, 75 1, 55 1, 50 1, 35 3, 40 3, 05 2, 75 2, 55 2, 30	1, 55 1, 40 1, 30 1, 25 2, 95 2, 70 2, 40 2, 25 2, 05	1, 95 1, 80 1, 70 1, 55 3, 50 3, 15 2, 85 2, 65 2, 50
25	0 7 9 10 1 2 3 4 5 6	239 284 234 188 900 811 674 573 491 422	2.15 1.90 1.80 1.65 4.40 3.75 3.45 3.15 2.80 2.50	1, 85 1,70 1,60 1,45 3,85 3,30 3,05 2,75 2,50 2,20	2.35 2.10 2.00 1.83 4.55 3.90 3.60 2.95 2.65
80	7 9 10 1 2 3 4 5	344 289 234 1, 279 1, 082 921 784 660 850	2.20 2.00 1.75 6.40 5.45 4.80 4.50 3.65 3.25	1.95 1.75 1.55 5.60 4.80 4.25 3.95 3.50 2.85 2.50	2,35 2,15 1,95 7,10 6,15 5,50 5,05 4,30 3,90
35	7 9 1 2 3	454 371 1,568 1,343 1,155	2.85 2.40 10.55 9.70 8.40	2.10 9.90 9.10 7.90	3.40 2.65 11.40 10.70 9.70

4 1,004 7.30 6.90 8.25

Length	Classes	Weight (pounds	Price per pole							
(feet)	Cannen	per pole)	Zone A	Zone B	Zone C					
5	8	862	\$6,30	\$6,10	\$7.2					
	567123	743 646	3,60	3.90	6,0					
0	1	1,884	19.25	12.00	15.0					
	2	1,623	11.50	10.75	13.3					
	4	1, 403 1, 219	9, 25	9, 75 8, 50	30.2					
	5	1,000	9, 25 7, 50	7, 85	87					
	6	921	5.90 B. SO	5,50 3,05	6,4					
15	7 1 2 3	2, 223	17, 00	16.00 13.50	19.5					
	2	1 17911	14.50	13.50	10.0					
	4	1,664 1,444	18.25 11.00	12.75	14.					
	3	1, 274	9.00 7.15	10.50 8.50	10.					
	6 7 1	1,114	7.10	6. 20 3. 20	7. 4 6. 1					
50	1	976 2,585	4. 15 24. 50	24.50	27.0					
THE PARTY OF	2	2, 214	21.50 19.00	21.50 19,00	23.7					
	3	1,925	17,00	17.00	21.0					
	. 5	1,494	17.00 10.50	30 50	Ele					
	6	1, 329	1 10/7:500	7, 50	- 61.					
88	234567-123	1,169 2,993	5. 25 31.00	5. 25 31.00	35.					
191	2	2,567	28, 50	28, 50	32.					
	- 4	9, 200	27,00 21,50	27.00	30.					
	4 5	1,710	15, 80	23. 50 15. 00	24. 16.					
	6.	1, 934 1, 719 1, 563	10.00	16,00	13.					
60	1 2 3 4 5	3,451	30, 80 33, 80	30, 80	42. 28.					
	3	2,512	30, 88	30, 80	35.					
	4	2,186	28, 80	28, 80	29. 21.					
	0 0	1,953	20, 10 18, 60	20,10	19.					
65	ĭ	4,015	51, 20 43, 70	51, 20 43, 70	51.					
	1 2 3	3,341 2,814	43,-70	43, 70	40.					
	4	2, 457	39, 70 33, 70	39.70 33.70	30.					
	5	2, 237	93:80	23, 80	23.					
70	1	4, 620	61, 55 53, 65	57.00	62. 56.					
	3	3, 781 3, 144	49, 55	47, 00	530					
	4	2,732	43, 65	50,50 47,00 38,50 30,00	45.					
75	1 1	2, 488 5, 198	75.60	69.50	71					
	5 1 2 3	4, 235 3, 506 3, 021	34,00 75,60 65,90	69, 50 63, 00	71. 64.					
	3	3, 506	1 :38:65	57.00 50.00	52. 90.					
80	4	6, 400	55, 50 94, 00	86, 65	90.					
	2 3	5, 170 4, 240	81.10	77, 70 69, 00	78.					
	3	4,240	71, 30	69, 00	78. 69. 66. 106. 94. 83.					
85	. 1	3, 615 7, 200	105, 50	104, 25	106.					
	2	5, 745 4, 690	93, 30	92,00	94.					
90	3	8, 140	81, 10 71, 30 66, 30 105, 50 93, 30 84, 00 121, 00 17, 50	61.00 104.25 92.00 82.30 119.00	125.					
	2	0, 405	110,00	1108, 00	108,					
es.	3	5, 160	97, 50 130, 00	95, 50 130, 00	130.					
95	1 2	9, 120 7, 080	125, 00	125, 00	125.					
	3	4, 180	120,00	120,00	120.					
100	31 2 31 2 31 2 33 1 2 33	10, 350	160,00	160,00 155,00	160.					
	1 5	7, 920 6, 120	150,00	150,00	155. 150.					

- (b) Additions to basic ceiling prices. Under the circumstances indicated below, whether you are a producer or a concentrator, you may make the following additions to the basic ceiling prices for untreated Southern Yellow Pine poles set out in paragraph (a) of this section:
- (1) For loading specified length groups of four consecutive lengths in 5-foot multiples, you may add as much as \$0.01 per lineal foot.
- (2) For loading specified length groups of three consecutive lengths in 5-foot multiples, you may add as much as \$0.02 per lineal foot.
- (3) For loading specified length groups of two consecutive lengths in 5-foot multiples, you may add as much as \$0.03 per lineal foot.
- (4) For loading specified single lengths, you may add as much as \$0.04 per lineal foot.
- (5) For loading random length orders where the purchaser specifies restricted loading, you may add as much as two-

thirds of the proper specified length addition shown above.

Note: The above additions may be made only when an order requires specified length group loading, and the additions may be applied only to the items loaded in such manner. For loading specified length groups of five or more consecutive lengths in 5-foot multiples, no addition is allowed.

(6) For classes 1, 2 and 3, or top size equivalent of clean hand-peeled poles,

you may add as much as \$0.03 per lineal foot; for classes 4, 5 and 6, or top size equivalent, you may add as much as \$0.02 per lineal foot; for classes 7, 9 and 10, or top size equivalent, you may add as much as \$0.01 per lineal foot.

(7) For machine peeling of poles, including cutting to specified lengths when required, you may add as much as the following:

					Classes				
Length (feet)	1	2	3	4	ā	6	7	0	10
10	\$0, 84	\$0.67 .96 1.28 1.58 1.92 2.62 2.62 3.03 3.48 4.47	\$0.45 .5550 .80 1.09 1.37 1.66 1.97 2.28 2.60 2.97 3.33 3.72 4.14	\$0.38 .47 .55 .60 .93 .1,19 1,44 1,71 1,99 2,58 2,90 3,23 3,23 3,23	\$0, 28 ,33 ,39 ,47 ,47 ,78 1,02 1,51 1,77 2,03 2,31 2,64 2,94				

(8) For framing poles, which includes roofing, gaining (two gains per pole), and boring one hole in each of the two gains, you may add as much as the following:

Classes 1, 2, 3 and 4 of all poles under \$0.40 40 feet in length..... Classes 5, 6, 7, 9 and 10 of all poles under 40 feet in length ..... Classes 1, 2, 3 and 4 of all poles 40 feet .45 in length .... Classes 5, 6 and 7 of all poles 40 feet . 35 in length ... All classes of poles 45 feet in length and longer Per gain For each additional gain with one hole\_\_\_\_\_\_ \$0.10 Per hole For boring of additional holes in the pole..... 80.04

(9) For handling poles incident to framing, you may add as much as 1½ cents per cubic foot.

(10) For each continuous 12 inches of slab-gained surface, including the boring of the hole in the gain, you may add as much as 10 cents. A continuous slab gain shall be considered as multiple gains and may be priced accordingly.

(11) For branding by burning, you may add as much as 7 cents per pole; for branding by hammer, you may add as much as 1½ cents per pole.

(12) When a buyer's request exceeds your supply of a specific class and length of pole, you may fill the request by cutting off the most similar pole available. You may charge the ceiling price for the pole that was cut back without a deduction for the reduced footage. However, any additions for transportation on the

cut-back poles shall be those additions applicable to the class and length of pole ordered by the buyer, and no addition may be made for labor involved in the cutting-back operations.

(c) Deductions from basic ceiling prices. Under the circumstances indicated below, whether you are a producer or a concentrator, you must make the following deductions from the basic ceiling prices for Southern Yellow Pine poles set out in paragraph (a) of this section:

 For classes 1, 2 and 3, or top size equivalent, of unpeeled poles, you must deduct 3 cents per lineal foot.

(2) For classes 4, 5 and 6, or top size equivalent, of unpeeled poles, you must deduct 2 cents per lineal foot.

(3) For classes 7, 9 and 10, or top size equivalent, of unpecled poles, you must deduct 1 cent per lineal foot.

Sec. 6. Ceiling prices for Southern Yellow Pine anchor logs and reinforcing stubs. The basic ceiling prices and established weights for clean peeled untreated Southern Yellow Pine anchor logs and reinforcing stubs are as follows:

Minimum diameter	Weight,	Price per lineal foot						
small end (inches)	per lineal foot	Zones A and B	Zone O					
5	17 17 22 27 33 40 47 55 61 72 82 82	\$0,08 .10 .11 .14 .18 .22 .25 .30 .35 .40 .55	\$0,09 -11 -12 -15 -20 -24 -27 -32 -37 -45 -51					

SEC. 7. Ceiling prices for Southern Yellow Pine piling. The basic ceiling prices and established weights for rough peeled untreated Southern Yellow Pine piling produced according to Federal Specification MMP-371, dated March 31, 1947 are as follows:

(a) Ceiling prices and established weights for production Zones A and B.

Diameters (inclusive)	mun 8"	nini- i butt i' to	10" mini- mum butt 8"4" to 8"8" and 9"1" to 9"3"		8'4' to 8'6' and 9"1' to		11" mini- mum butt 9"4' to 9"6' and 10"1' to 10"3'		12" mini- mum butt 10"4' to 10"6' and 11"1' to 11"3'		13" mini- mum butt 11"4" to 11"6" and 12"1" to 12"3"		14" mini- mum butt 12"4' to 12"6' and 13"1' to 13"3'		15" mini- mum butt 13"4" to 13"6' and 14"1' to 14"3'		10" mini- mum butt 14"4" to 14"6" and 15"1" to 15"3"		17" mini- mum butt 15"4" to 15"6" and 16"1" to 16"3"		18" mini- mum bott 16"6' to 16"6' and 17"1' to 17"3'	
Lengths (inclusive)	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal		
15' to 17'.  18' to 22'  23' to 27'  25' to 33'  33' to 37'  38' to 42'  43' to 47'  45' to 52'  53' to 57'  58' to 62'  63' to 67'  78' to 72'  78' to 77'  78' to 87'  88' to 92'  83' to 87'  88' to 92'  96' to 102'	24 23 22 21 20 19										35	\$0.37 .35 .35 .35 .37 .39 .47 .50 .55 .64 .60 .70 .80 .85 .95	70. 668 663 611 507 555 533 520 499 477 453 422 411 60	\$0.42 -40 -40 -40 -40 -42 -52 -55 -56 -56 -75 -85 -100 1.10 1.20	70 77 74 72 70 68 66 64 62 59 58 55 55 55 56 48 46	80. 47 -45 -45 -45 -45 -45 -45 -47 -54 -66 -72 -82 -82 -1.00 -1.13 -1.25	89 87 84 82 79 77 75 73 71 68 67 64 63 62 60 88 54	\$0, 53 .50 .50 .50 .50 .50 .57 .61 .74 .79 .87 .105 1.100 1.200	99 97 95 92 90 87 85 83 80 78 77 77 77 66 64 64	\$0, 78 .56 .56 .50 .50 .50 .61 .65 .71 .83 .03 .04 .10 1, 15 1, 25 1, 35		

(b) Ceiling prices and established weights for production Zone C.

Diameters (inclusive)	8"1	nini- i butt 'to	8'4 8'6' 9''1	mum butt mum 8"4" to 9"6 8"6" and 9"6" 9"1" to 10"		11" mini- mum butt 9" 4" to 9"0" and 10"1" to 10"3"		mini- butt 4' to 'and 1' to ''3'	13" mini- mum butt 11"4' to 11"6' and 12"1' to 12"3'		14" mini- mum butt 12"4' to 12"6' and 13"1' to 13"3'		15" minimum butt 13"4' to 13"6' and 14"1' to 14"3'		16" minimum butt 14"4" to 14"6" and 15"1" to 15"3"		17" mini- mum butt 15"4' to 15"6' and 16"1' to 16"3'		18" mini- mum butt 16"4' to 16"6' and 17"1' to 17"3'	
Lengths (inclusive)	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per Itneal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal foot
16' to 17' 18' to 22' 23' to 27' 23' to 27' 23' to 37' 38' to 37' 38' to 42' 43' to 47' 48' to 52' 58' to 52' 58' to 67' 68' to 72' 73' to 77' 73' to 78' 88' to 92' 88' to 92' 88' to 93'	24 23 22 21 20 10					80. 28 -26 -26 -26 -26 -26 -28 -33 -38 -41		\$0,34 32 32 32 32 33 39 42 45 48	777	\$0.37 .35 .35 .35 .35 .37 .47 .50 .51 .55 .60	61 597 555 53 51 497 466 453 422 400 399 37 36 35 34	\$0. 40 .38 .38 .38 .38 .40 .47 .59 .53 .65 .70 .75 .90 1.00 1.10	70 88 88 88 81 85 55 55 55 55 55 55 55 55 55 55 55 55	\$0. 45 .43 .43 .43 .43 .43 .53 .56 .56 .75 .80 .85 .95 1.00 1.10 1.20	79 77 74 72 70 68 66 64 62 59 58 55 55 53 53 53 48	\$0.50 48 48 48 48 48 55 61 68 72 85 90 1.05 1.15 1.25	89 87 84 82 79 77 75 73 77 75 68 67 62 60 88 56	80. 55 . 53 . 53 . 53 . 53 . 53 . 53 . 53	99 97 95 92 90 87 85 83 80 75 73 71 70 68 66 64 62	\$0. 61 .50 .50 .50 .50 .50 .50 .50 .50 .50 .71 .78 .88 .98 .98 .105 .1.15 .1.15 .1.25 .1.25 .1.35

Sec. 8. Ceiling prices for Cypress piling. The basic ceiling prices and established weights for rough peeled untreated Cypress piling produced according to Federal Specification MMP-371, dated March 31, 1947 are as follows:

(a) Ceiling prices and established weights for production Zones A and B.

Diameters (inclusive)	9" mini butt 8"1	mum ' to 8''3'	10" min butt 8"4' and 9"1"	imum to 8''6' to 9''3'	11" min butt 9"4' and 10"1'	lmum to 9"6" to 10"3"	12" min butt 10"4' and 11"1'	imum to 10"6' to 11"3'	13" min butt 11"4' and 12"1'	imum to 11"6' to 12"3'	14" min butt 12"4' and 13"1'	imum to 12"6' to 13"3'	15" inin butt 13"4' and 14"1'	20 137767	16" min butt 14"4' and 15"1"	10 14"6"
Lengths (inclusive)	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lines! foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal
15' to 17'	20 19 18 17 16 15		********	\$0. 22 21 21 21 21 22 23 24 25 33	31 30 28 27 20 23 23 22 21 20	\$0. 26 24 24 24 24 24 28 33 36 30	37 36 34 32 31 30 29 28 26 24 22	\$0, 31 29 29 29 29 30 33 33 42 45 48	43 41 40 39 37 36 34 33 32 30 28 27 25	\$0,34 32 32 32 34 36 44 47 50 51 55 60	50 49 46 45 43 42 40 37 36 34 32 30 29	\$0.37 .35 .35 .35 .37 .39 .47 .50 .53 .64 .66 .70	87 85 85 82 80 89 47 45 44 42 41 89 87 86	\$0, 42 , 40 , 40 , 40 , 40 , 42 , 44 , 43 , 55 , 55 , 58 , 62 , 75 , 85	65 63 61 59 57 55 54 52 50 49 47 46 45 43	\$0, 47 - 45 - 45 - 45 - 45 - 47 - 54 - 60 - 72 - 82 - 88

(b) Ceiling prices and established weights for production Zone C.

Diameters (inclusive)	9" mini butt 8"1"	mum to 8"3"	10" min butt 8"4" and 9"1" t	to 8"6".	11" min butt 9"4' and 10"1'	to 9"6"	12" min butt 10"4' and 11"1'	imum to 10"6' to 11"3'	13" min butt 11"4' and 12"1'	imum to 11''6' to 12''3'	14" min butt 12"4' and 13"1'	imum to 12"6' to 13"3'	15" min butt 13"4' and 14"1'	imum to 13"6' to 14"3'	16" min butt 14"4' and 15"1'	imum to 14"6' to 15"3'
Lengths (inclusive)	Weight, pounds	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal foot	Weight, pounds per lineal foot	Price per lineal foot	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal feet	Price per lineal	Weight, pounds per lineal foot	Price per lineal foot	Weight, pounds per lineal foot	Price per lineal
15' to 17' 18' to 22' 23' to 22' 23' to 32' 38' to 32' 38' to 42' 48' to 42' 48' to 52' 53' to 57' 68' to 67' 68' to 67' 78' to 77' 78' to 82'	16 15				31 30 28 27 26 25 22 22 21	\$0, 28 26 26 26 26 26 28 28 33 38	37 380 34 32 31 30 29 28 26 24 22	\$0.34 .32 .32 .32 .32 .33 .39 .42 .45 .45	43 41 40 39 37 36 34 23 30 28 27 25	\$0. 37 .35 .35 .35 .35 .35 .35 .45 .47 .50 .51 .53 .60	50 49 46 45 43 42 40 39 37 36 34 32 30 29	\$0.40 .38 .38 .38 .38 .40 .47 .50 .53 .55 .65 .70	57 55 54 62 60 67 45 44 42 41 42 43 39 37	\$0. 45 -43 -43 -43 -43 -43 -53 -56 -58 -58 -75 -80 -85	65 61 69 57 55 54 82 99 47 46 45	\$0.00 48 48 48 48 48 48 50 60 68 77 88 90

Sec. 9. Ceiling prices for Mixed Oak and White Oak piling. (a) The basic ceiling prices and established weights for rough peeled untreated Mixed Oak and White Oak piling produced according to Federal Specification MMP-371, dated March 31, 1947 are as follows:

(1) Mixed Oak piling ceiling prices and established weights.

Diameters (inclusive)	9" mini butt 8"1"	9" minimum butt 8"1" to 8"3" 10" minimum butt 8"4" to 8"6" and 9"1" to 9"3"		11" minimum butt 9"4" to 9"6" and 10"1" to 10"3" and 11"1" to 11"3"		13" minimum butt 11"4' to 11"6' and 12"1' to 12"3' and 13"1' to 13"3'		15" minimum butt 13"4" to 13"6" and 14"1" to 14"3"		16" minimum butt 14"4' to 14"6' and 15"1' to 15"3'						
Lengths (inclusive)	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal
15' to 17' 18' to 22' 23' to 27' 23' to 27' 23' to 37' 33' to 37' 33' to 47' 43' to 47' 44' to 52' 35' to 52' 35' to 57' 35' to 62' 65' to 67' 68' to 72' 5				\$0. 25 . 25 . 25 . 25 . 25 . 29 . 32 . 40	45 43 41 39 38 36 34 33	\$0. 27 .27 .27 .27 .27 .27 .31 .34 .42	53 51 49 47 45 44 42 40 39 37	\$0.29 .29 .29 .29 .29 .33 .36 .44 .52 .63	62 60 58 56 53 51 49 48 47 45 44	\$0, 32 , 32 , 32 , 32 , 36 , 39 , 47 , 55 , 66 , 77	72 70 67 63 62 60 59 56 54 52 51	\$0.37 .37 .37 .37 .37 .41 .44 .52 .60 .71 .82	83 80 77 77 75 72 70 68 66 63 61 59 59	\$0.44 -44 -44 -44 -48 -51 -59 -67 -78 -89 1.05	93 91 88 83 83 80 78 75 73 70 68	\$0, 51 51 51 51 52 53 58 66 74 85 98

(2) White Oak piling ceiling prices and established weights. (i) You shall determine your ceiling prices for White Oak piling by adding the appropriate addition set forth below to the Mixed Oak ceiling prices of corresponding lengths set forth in paragraph (a) of this section:

9 to 11 inches, minimum butt, inclusive 50.08 per lineal foot.

12 to 14 inches, minimum butt, inclusive 0.10 per lineal foot.

15 to 16 inches, minimum butt, inclusive 0.12 per lineal foot.

(ii) Your established weights for White Oak piling shall be the same as those established in subparagraph (1) of this paragraph for corresponding sizes and lengths of Mixed Oak piling.

Sec. 10. Ceiling prices for piling of Mixed Hardwood species. (a) The basic ceiling prices and established weights for rough peeled untreated piling of Mixed Hardwood species produced according to Federal Specification MMP-371, dated March 31, 1947 are as follows:

Diameters (inclusive)	9" minimum butt 8"1' to 8"3" 10" minimu butt 8"4' to 8 and 9"1' to 9		imum to 8''6' to 9''3'	num butt 9"4" to 9"6" and 10"1" to 10"3"		12" minimum butt 10"4" to 10"6" and 11"1" to 11"3"		13" minimum butt 11"4" to 11"6" and 12"1" to 12"3"		14" minimum butt 12"4" to 12"6" and 13"1" to 13"3"		15" minimum butt 13"4" to 13"6" and 14"1" to 14"3"		16" minimum butt 14"4" to 14"6" and 15"1" to 15"3"		
Lengths (inclusive)	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal foot	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal	Weight, pounds per lineal foot	Price per lineal
18' to 17'  18' to 22' 23' to 27' 25' to 37' 33' to 37' 33' to 37' 33' to 42' 43' to 47' 48' to 57' 58' to 62' 68' to 72' 68' to 72' 73' to 77'	27 26 24 23 22 22 21 20						50 48 46 44 42 41 39 37 36 34 32 30 29	\$0.26 -26 -26 -26 -26 -28 -31 -33 -36 -40 -47 -51 -56	58 56 55 53 50 49 47 46 42 41 39 37 36	\$0. 29 29 29 29 31 33 36 39 43 50 54	68 66 63 61 59 57 54 53 51 48 47 45	\$0.34 .34 .34 .34 .36 .39 .41 .44 .48 .55 .59	77 75 72 70 68 66 63 61 59 55 53 52	\$0.39 .39 .39 .39 .39 .41 .44 .49 .49 .53 .60 .64	88 85 82 80 77 75 73 71 68 66 64 61 59	\$0.46 46 46 46 46 51 53 56 67 71

SEC. 11. General notes to sections 7, 8, 9 and 10. Whether you are a producer or concentrator, the following notes pertain to the basic ceiling prices for Southern Yellow Pine, Cypress, Mixed Oak, White Oak and Mixed Hardwood species piling set out in sections 7, 8, 9 and 10.

(a) When a top diameter of piling only is specified, or where the top diameter controls, the butt size shall be determined by adding 1 inch for each 10foot length or fraction thereof.

(b) You determine the ceiling price for piling with a minimum diameter at a specified point more than 6 feet from the butt in the following manner:

(1) Convert this diameter to a diameter 6 feet from the butt by adding 1 inch to the diameter for each 10 feet or

fraction thereof by which the distance from the butt to the specified point exceeds 6 feet.

(2) Your ceiling price is the ceiling price set out in the table applicable to the diameter 6 feet from the butt as determined in this paragraph.

Example: The ceiling price for a piling with a minimum diameter of 12 inches at 7 feet from the butt is determined as follows:

	Inches
Diameter 7 feet from butt	
1 foot (fraction of 10 feet)	
Diameter 6 feet from butt	13

Your ceiling price is found in the applicable table in the column headed 15 inches minimum butt, which includes the ceiling price for piling measuring 13 inches in diameter 6 feet from the butt.

Example: The ceiling price for a 70-foot piling with a minimum diameter of 12 inches one-quarter of the length from the butt is determined as follows:

Your ceiling price is found in the applicable table in the column headed 16 inches minimum butt, which includes the ceiling price for piling measuring 14 inches in diameter 6 feet from the butt.

(c) For loading specified length groups, you may add as much as the following to the appropriate basic celling prices: For three consecutive length groups, \$0.01 per lineal foot; for two consecutive length groups, \$0.02 per lineal foot; for one length group, \$0.03 per lineal foot. These additions may be made only when an order requires specified length group loading, and the additions may be applied only to the items loaded in such manner. For loading more than three consecutive length groups, no addition is permitted.

(d) For loading in lengths of 5-foot multiples, you may add as much as the following to the appropriate basic ceiling prices: For four consecutive lengths, \$0.01 per lineal foot; for three consecutive lengths, \$0.02 per lineal foot; for two consecutive lengths, \$0.03 per lineal foot; for single lengths, \$0.04 per lineal foot. These additions may be made only when an order requires loading in 5-foot multiples, and the additions may be applied only to the items loaded in such manner. For loading more than four consecutive lengths of 5-foot multiples, no addition is permitted.

(e) For loading in random lengths, which require restricted loading, you may add two-thirds of the appropriate additions permitted by paragraphs (c) and (d) of this section.

(f) For clean peeled Pine, Cypress and Mixed Hardwoods piling having a 12-inch minimum butt and smaller, you may add as much as \$0.04 per lineal foot; for 13-inch minimum butt and larger, you may add as much as \$0.06 per lineal foot.

(g) For unpeeled Pine, Cypress and Mixed Hardwoods piling having a 12inch minimum butt and smaller, you must deduct \$0.02 per lineal foot; for 13-inch minimum butt and larger, you must deduct \$0.03 per lineal foot.

(h) For clean peeled Oak piling, you may add as much as \$0.06 per lineal foot,

 For unpeeled Oak piling, you must deduct \$0.03 per lineal foot.

(j) For heading, pointing and chamfering piling having a 13-inch minimum butt and smaller, you may add as much as \$0.40 per piling; for 14-inch minimum butt and larger, you may add as much as \$0.80 per piling.

(k) For mixed orders of Pine and Cypress piling containing at least 25 percent Pine, the transportation addition may be computed by using the established Pine weights set worth in section

7 of this regulation.

(1) When a buyer's request exceeds your supply of a specific size and length of piling, you may fill the request by cutting off the most similar piling available. You may charge the ceiling price for the piling that was cut back without a deduction for the reduced footage. However, any additions for transportation on the cut-back piling shall be those additions applicable to the size and length of piling ordered by the buyer, and no addition may be made for labor involved in the cutting-back operations.

(m) For orders specifying minimum butt diameters in multiples of one-half inch, you may use the average ceiling price and established weight of the next smaller and the next larger butt diameter. For example, the ceiling price and established weight for a piling having a 13½-inch minimum butt diameter is determined by averaging the ceiling prices and established weights of a piling having a 13-inch minimum butt diameter and a piling having a 14-inch minimum butt diameter.

SEC. 12. Selling on an averaging-out basis. When a buyer requests a single flat delivered price for items of the same size and species, and the request involves shipments from two or more normal loading out points, with different ceiling prices, or different freight rates, or both, you may charge a weighted-average price. For example, the average price per pole for an order of 2,000—40 foot, Class 4 Southern Yellow Pine poles to be shipped from three normal loading out points with the different prices indicated is computed as follows:

500	at	8.50	per	polepole	89, 250 4, 250 5, 125

000 Average price—\$9.31 per pole.

If you sell on an averaging-out basis, you must prepare a record of the transaction, showing the individual items, the number shipped from each normal loading out point, the total amount invoiced for each order, and the total amount you would have realized if the actual quantities were invoiced at ceiling prices permitted by this regulation. The total amount realized on an averaging-out basis shall not exceed the sum of the applicable ceiling prices established by this regulation. You must retain your calculations supporting your computations, and such data must be available for inspection by the Office of Price

Stabilization for a period of two years

after each transaction. SEC. 13. Concentrators' ceilings-(a) Markup. (1) If you are a contractor, you determine your ceiling price to each class of your purchasers for sales of an item subject to this regulation in the following manner: Add to your purchase cost (not to exceed the producers' ceiling price) of the item the highest dollars-and-cents markup which you made on your sales of the item to purchasers of the same class during the base period January 1, 1950, to June 30, 1950, inclusive. The current cost to which a markup is applied in determining your ceiling prices may not include cost elements other than those included in the base period cost on the basis of which you computed the markup.

(2) If you are a concentrator, you must determine your ceiling prices under this regulation, applying either this paragraph or paragraph (c) of this section; you may not determine your ceiling prices by applying the provision of Supplementary Regulation 87 to the General Ceiling Price Regulation. Only one concentrator's markup may be made under this section.

(b) Concentrator defined. The term "concentrator" means a person who either:

(1) Maintains a concentration yard with supervisory and other employees,

who purchases from producers all the items subject to this regulation that he sells, and who sells those items either to persons purchasing for resale, or to ultimate users, such as, but not limited to, rallroads, power companies, telephone companies, treating plants, contractors, industrial plants, state highway departments, municipalities and other governmental agencies; or

(2) Produces items subject to this regulation, and who must, in addition,

do the following:

(i) Maintains a concentration yard with supervisory and other employees, where he purchases items subject to this regulation for sale either to persons purchasing for resale, or to ultimate users, such as, but not limited to, railroads, power companies, telephone companies, treating plants, contractors, industrial plants, state highway departments, municipalities and other governmental agencies; and

(ii) Have purchased from producers, during the three calendar months next preceding any calendar month in which he does business as a concentrator, at least 33\%, percent of the total amount of items subject to this regulation that

he sold.

\$18,625

(c) Application for establishment of a ceiling markup. If you cannot ascertain your markup under paragraph (a) of this section, you must apply by registered mail, return receipt requested to the Office of Price Stabilization, Forest Products Division, Washington 25, D. C., for the establishment of your ceiling markup. Your application must be signed and must set forth all relevant facts, including the following: (1) Your trade name and address; (2) your proposed markup and the item to which it will be applied; (3) the location of your concentration yard; (4) the number of your supervisory and other employees; and (5) a statement explaining why you believe your proposed markup is in line with markups allowed in paragraph (a) of this section. If you cannot price under paragraph (a) of this section and file an application for the establishment of your ceiling markup, you may not sell items subject to this regulation until the Director of Price Stabilization establishes a ceiling markup for you. If, however, the Director of Price Stabilization does not notify you to the contrary or request further information from you within 20 days after the receipt of your application, or within 20 days after the receipt of requested further information, your proposed ceiling markup shall be deemed to have been approved, subject to nonretroactive disapproval or modification at a later time.

SEC. 14. Inspection service. When a buyer requests special inspection service to be furnished by an inspection agency designated by the buyer, you may add the actual cost to you of such service to the otherwise appropriate ceiling price of the item inspected.

SEC. 15. Transportation charges. Whether you are a producer or concentrator, if you make delivery beyond a normal loading out point, you may add to the basic ceiling prices established by

this regulation a transportation addition determined as follows:

(a) Common or contract carrier shipments. For delivery by common or contract carrier, multiply the applicable published rate in effect at the time of shipment by the appropriate established weight. The transportation addition so determined must be evened out to the nearest quarter cent per lineal foot or five cents per pole, whichever is appli-

(b) Private truck shipment. (1) If shipment is by truck owned or controlled by you, a charge not in excess of the common carrier truck published rate may be made. If there is no published rate, the actual cost of transportation may be

charged.

(2) When a truck deliverly follows a rail haul, the actual cost of truck delivery may be added. This may include the cost of unloading, handling and reloading involved in the transfer from rail car to the truck and the cost of unloading the truck at the point of destination, if actually performed by you. When an all truck haul ends in delivery to a job site or storage yard and the unloading is performed by you, you may add the actual cost of unloading.

Sec. 16. Ceiling prices for special items—(a) Application. If you cannot ascertain a ceiling price for items subject to this regulation, as for example, should you wish to sell items with specifications or other extras not specifically mentioned in this regulation, you must file an application with the Director of Price Stabilization, Washington 25, D. C., for approval of a ceiling price. Your application must be signed and must be made by registered letter, return receipt requested, and must set forth the relevant facts, including the following:

 Your trade name and address.
 As complete a description as possible of the items for which the application is filed. This should include the species, class, length specifications, or other extras involved.

(3) Your proposed ceiling price, together with a statement indicating why you believe it is in line with the level of ceiling prices established under this

regulation.

(4) Your General Ceiling Price Regulation ceiling prices for both the item that is the subject of your application and the most nearly comparable item for which a ceiling price is established by this regulation.

(5) The proposed use to which the buyer will put the item for which you are proposing a special ceiling price.

- (b) Quotation of proposed prices. After an application has been filed under this section, and before action by the Director of Price Stabilization, you may sell your items at a price not higher than the ceiling price proposed in your application: Provided, That you agree to re-fund, and later refund, to the buyer, the amount, if any, by which your proposed ceiling price exceeds the ceiling price established by the Director of Price Stabilization.
- (c) Action by the Director of Price Stabilization, (1) After receipt of an application made under this section, the

Director of Price Stabilization will approve or disapprove your proposed celling price, will request additional information about it, or will establish a different ceiling price for the item that is the subject of your application.

(2) If the Director does not notify you to the contrary or request additional information from you within 20 days after the receipt of your application or within 15 days after the receipt of requested additional information, your proposed ceiling price shall be deemed to have been approved, subject to non-retroactive disapproval or modification at a later time.

Sec. 17. Modification of proposed ceiling prices by the Director of Price Stabilization. The Director of Price Stabilization may at any time diaspprove or reduce ceiling prices proposed under sections 13 and 16 of this regulation so as to bring them into line with the level of ceiling prices otherwise established by this regulation.

Sec. 18. Petitions for amendment. If you wish to have this regulation amended, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1, Revision 2.

Sec. 19. Adjustable pricing. Nothing in this regulation prohibits you from making a contract or offer to sell at (a) the ceiling price in effect at the time of delivery, or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery. You may not, however, deliver or agree to deliver, at a price to be adjusted in accordance with any increase in ceiling prices after delivery.

SEC. 20. Records-(a) Existing records. On and after the effective date of this regulation, for so long as the applicable periods indicated in section 16 of the General Ceiling Price Regulation, you shall preserve all your existing records that you were required to keep under the provisions of section 16 of the General Ceiling Price Regulation. If you are a concentrator, you shall also preserve for the same period all your existing records relating to your markups on items you sold during the period from January 1, 1950, through June 30,

- (b) Current records. Every person who sells and every person who in the regular course of business buys products covered by this regulation, shall make and keep for inspection by the Director of Price Stabilization, for a period of two years, accurate records of each sale or purchase made in any month in which the seller sold, or the buyer bought, at least \$1,000.00 worth of items subject to this regulation. The records must show:
  - (1) The dates of sales or purchases; (2) The names and addresses of the

sellers and buyers;

- (3) A description of the items sold or bought, including the species, class, size and length;
- (4) The prices charged or paid, in-cluding all additions, extras and discounts; and
- (5) The place of delivery by the seller. The retention by a buyer of an invoice furnished by a seller, or the retention

by a seller of an invoice or settlement sheet furnished by a buyer, which includes the factual information required to be made a matter of record by this paragraph, shall be considered as compliance with the provisions of this paragraph.

(c) Other records. If you apply for approval of a proposed ceiling price for special items under section 16 of this regulation, you shall preserve or make and you shall keep for inspection by the Director of Price Stabilization for so long as the Defense Production Act of 1950, as amended, shall remain in effect and for two years thereafter, accurate records from which you obtained the data you submit in connection with your application for such ceiling price.

Sec. 21. Interpretations. If you want an official interpretation of this regulation, you should write to the District Counsel of your local OPS District Office. Any action taken by you in reliance upon, and in conformity with a written official interpretation, will constitute action in good faith pursuant to this regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1, Revised.

SEC. 22. Prohibitions and violations. (a) You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically, but not in limitation of the above, you shall not, regardless of any contract or other obligation, sell and no person in the regular course of trade or business shall buy from you at a price higher than the ceiling prices established by this regulation, and you and buyers from you shall keep, make and preserve true and accurate records and reports required by this regulation.

- (b) If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action, and actions for damages. Prices lower than the ceiling prices may be charged, paid, or offered.
- (c) If any person subject to this regulation fails to prepare or keep any record or file any report required by this regulation in connection with the establishment of his celling price, or if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing his ceiling prices. Any ceiling price fixed in this manner will be in line with ceiling prices generally established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

Sec. 23. Evasions. Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation, or in concealing or falsely

representing information as to which this regulation requires records to be kept, is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of commission, services, cross sales, transportation arrangements, premiums, discounts, special privileges, up-grading, tie-in agreements and trade understandings, as well as the omission from records of true data and the inclusion in records of false data.

SEC. 24. Definitions. The terms used in this regulation shall be construed as follows:

Anchor logs. This term means a peeled or unpeeled section of a tree longer than one foot in length, suitable for burying in the ground and to which a cable may be attached.

Concentrator. This term is defined in section 13.

Director of Price Stabilization. This term extends to any official, including officials of Regional or District offices, to whom the Director of Price Stabilization, by order, delegates a function, power, or authority referred to in this regulation.

Mixed Hardwood piling. This term refers to piling made from any species of hardwood except Oak. A sale of Mixed Hardwood piling within the meaning of this regulation may consist of piling made from one or more of the hardwood species except Oak.

Normal loading out point. This term is defined in section 4.

Person. This term means an individual, corporation, partnership, association, or any other organized group of persons, or the legal successors or representatives of the foregoing, and the United States and any other government or their political subdivisions or agencies.

Piling. This term means any round, peeled or unpeeled, section of a tree longer than 14 feet, suitable for driving in the ground to form a foundation for construction purposes, such as for

wharves, bulkheads, and buildings.

Pole. This term means any round, peeled or unpeeled, section of a tree longer than 14 feet, suitable for the support of transmission or communication lines at varying heights above the ground.

Purchaser of the same class. The meaning of this term is determined by reference to your own practice of setting different prices for sales to different purchasers or groups of purchasers. The practice may, but need not, be based on the characteristics or distributive level of the buyer. It may, but need not, be based on differing terms or conditions of sale or delivery. It may, but need not, be based on the location of the purchaser of the quantity of poles and piling purchased by him. If you have followed the practice of giving an individual customer a price differing from that charged others, that customer is a separate class of purchaser.

Records. This term includes books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

Reinforcing stub. This term means a peeled or unpeeled section of a tree longer than four feet in length, suitable for reinforcing a pole at the ground line.

Sell. This term includes sell, supply. dispose, barter, trade, lease, exchange, transfer, deliver, and contracts and offers to do any of the foregoing. The term "buy" and "purchase" shall be construed accordingly.

You. The pronoun "you" indicates any producer or concentrator who sells items subject to this regulation. The terms "your" and "yours" shall be construed accordingly.

Effective date. This Ceiling Price Regulation is effective September 22,

Note: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of

JOSEPH H. FREEHILL, Acting Director of Price Stabilization.

SEPTEMBER 17, 1952.

[F. R. Doc. 52-10284; Filed, Sept. 17, 1952; 12:06 p. m.]

[Ceiling Price Regulation 22, Supplementary Regulation 32]

CPR 22-Manufacturer's General CEILING PRICE REGULATION

SR. 32-ADJUSTMENT IN CEILING PRICES FOR FRIT PRODUCERS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Supplementary Regulation to Ceiling Price Regulation 22 is hereby issued.

#### STATEMENT OF CONSIDERATIONS

This Supplementary Regulation to Ceiling Price Regulation 22 authorizes an increase of 5.0 percent in the ceiling prices for ceramic frit and porcelain enamel frit when sold by the manufacturer of the frit product. Frit products are vitreous coating bases and include ceramic glaze frit (applied to pottery and dinnerware) and porcelain enamel frit (applied to metal goods). The industry is presently operating under Ceiling Price Regulation 22.

At the request of representatives of the frit industry, the Office of Price Stabilization has completed a survey to determine whether the celling prices established for sales of frit by the manufacturer under CPR 22 provide a sufficeint return under this Agency's industry earnings standard.

In accordance with the requirements of the industry earnings standard, earnings data were collected from noncaptive frit manufacturers for the years 1946 through 1951 and by quarters from the first quarter of 1950 through the first quarter of 1952. The price adjust-ment provided for by this supplementary regulation is based upon a

comparison of aggregate earnings to consolidated net worth for four firms in the best 3 out of 4 years during the period 1946 through 1949, with the aggregate earnings to consolidated net worth for the first quarter of 1952 projected on an annual basis. The reduction in earnings to present levels was caused by increased costs of production and by a decline in sales since the middle of 1951. These data support the conclusion that an increase of 5.0 percent is required to satisfy the industry earnings standard at the industry's present volume of sales. Accordingly, the price adjustment here granted may be applied by each firm to its ceiling prices established by CPR 22.

In the judgment of the Director of Price Stabilization, the provisions of this Supplementary Regulation to the Ceiling Price Regulation 22 are generally fair and equitable and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

In the formulation of this supplementary regulation there has been consultation with industry representatives, including trade association representatives, to the extent practicable, and consideration has been given to their recommendations.

# REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.

2. Adjustment of ceiling prices of frit prod-

AUTHORITY: Section 1 to 2 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Sup.

SECTION 1. What this supplementary regulation does. This Supplementary Regulation modifies Celling Price Regulation 22 to the extent that it permits a producer of frit to adjust his ceiling prices, otherwise determined pursuant to CPR 22, as amended to date, by the addition of an amount not in excess of 5.0 percent of such ceiling prices.

SEC. 2. Adjustment of ceiling prices of frit products. On and after the effective date of this Supplementary Regulation, if you are a producer of frit, you may adjust your ceiling prices for frit products, otherwise determined pursuant to CPR 22, as amended, by the addition of an amount not in excess of 5.0 percent of your ceiling prices.

Effective date. This Supplementary Regulation to Ceiling Price Regulation 22 shall become effective September 22,

TIGHE E. WOODS, Director of Price Stabilization.

SEPTEMBER 17, 1952.

[F. R. Doc. 52-10286; Filed, Sept. 17, 1952; 4:00 p. m.]

[General Overriding Regulation 14, Amdt. 231

GOR 14-ADDITIONAL EXCEPTED SERVICES

#### THEATER TICKET BROKERS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 23 to General Overriding Regulation 14 is hereby issued.

#### STATEMENT OF CONSIDERATIONS

This Amendment 23 to General Overriding Regulation 14 amends section 3 (a) (94) of that regulation by extending the present exemption of the sale of theater tickets by governmentally licensed and regulated theater ticket brokers to include sales of tickets to other events, including tickets to athletic and sporting events. The previous exemption for ticket brokers was limited to the sale of theater tickets partly because the admission charges made by the theater enterprises themselves, were exempted from ceiling price regulation by the provisions of section 402 (e) (iii) of the Defense Production Act of 1950, as amended. On the other hand admission charges to non-scholastic athletic and sporting events were and are still subject to ceiling price regulation. However, upon further examination of the operation of the theater ticket broker industry there appears to be good reason for extending the exemption to the fees charged by ticket brokers for the sale of the tickets to sporting events. Such service on the part of the theater ticket brokers is normally incidental to their larger activity of acting as broker for the sale of theater tickets. In the metropolitan areas where theater ticket brokers are licensed and regulated by the municipal or State government and the municipal or State government establishes by law the maximum charge which the ticket broker may make for the resale of tickets there is generally no distinction made between the sale of theater tickets and the sale of tickets to sporting events. The maximum charge is usually the same whether the ticket be for a theatrical production or a sporting event. The service is likewise much the same, namely, that of securing tickets for members of the public who cannot purchase them at the box office. Moreover, the amount of income derived by ticket brokers for the sale of tickets to sporting events is small in relation to the burden of price control administration by the Federal government. For these reasons the present limited exemption of ticket brokerage service is being extended to cover governmentally licensed and regulated ticket broker services in all cases where the maximum retail charge or brokerage fee is established by law.

In the formulation of this amendment there has been consultation with industry representatives to the extent practicable and consideration has been given to their recommendations.

#### AMENDATORY PROVISIONS

General Overriding Regulation 14, as amended, is further amended in the following respect:

Subparagraph (94) of paragraph (a) of section 3 is amended to read as

(94) Any ticket brokerage services rendered by theater ticket brokers licensed by governmental authority to the extent that the maximum charges for such services are established under a statute or a municipal ordinance.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Supp. 2154)

Effective date. This Amendment 23 to General Overriding Regulation 14, shall be effective September 17, 1952.

> TIGHE E. WOODS. Director of Price Stabilization.

SEPTEMBER 17, 1952,

[F. R. Doc. 52-10285; Filed, Sept. 17, 1952; 12:06 p. m.]

## Chapter VI-National Production Authority, Department of Commerce

[NPA Order M-6A, Dir. 2-Revocation]

M-6A-STEEL DISTRIBUTORS

DIR. 2-FLOOD-DAMAGED AREA RELIEF

Direction 2 (17 F. R. 4237) to NPA Order M-6A and Amendment 1 of June 4, 1952 (17 F. R. 5068), are hereby revoked.

This revocation does not relieve any person of any obligation or liability incurred under Direction 2 to NPA Order M-6A as originally issued or as amended June 4, 1952, nor deprive any person of any rights received or accrued under said Direction 2 to NPA Order M-6A prior to the effective date of this revo-

This revocation is effective September 17, 1952.

NATIONAL PRODUCTION AUTHORITY, By JOHN B. OLVERSON, Recording Secretary.

[F. R. Doc. 52-10268; Filed, Sept. 17, 1952; 11:18 a. m.]

# Chapter X-Defense Solid Fuels Administration, Department of the Interior

[Solid Fuels Order 3]

SFO-3-DISTRIBUTION OF BITUMINOUS COAL

The representatives of certain coal producers, and the representatives of their employees, are engaged in negotiating a contract covering terms and conditions of employment. Should these negotiators fail to reach an agreement prior to the expiration date of the present employment contract, such failure may result in a stoppage of production at many bituminous coal mines. The ces-sation of production at these mines if continued will create shortages in the supply of bituminous coal for the military programs in support of national security and for essential civilian needs. Therefore, this order is found necessary and appropriate to promote the national defense and is issued pursuant to the

Defense Production Act of 1950, as amended. In the formulation of this order it was impracticable to consult with industry representatives because of the need for immediate action.

- 1. What this order does, 2. Definitions
- Restrictions on shipments of bituminous conl.
- 4. Railroads prohibited from accepting bituminous coal.
- Exceptions.
- 6. Report to Area Distribution Manager.
- 7. Shipment of unbilled cars of coal held pursuant to this order.
- 8. Certification that shipment is made pursuant to the terms of this order. How a consumer obtains coal.
- 10. Applications for adjustment or exemption.
- 11. Exemptions from damages or penalties, Violations.
- 13. Communications.

AUTHORITY: Sections 1 to 13 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429 82d Cong.; 50 U. S. C. App. Sup. 2071; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.; sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61, 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp. 3 CFR, 1951 Supp.

Section 1. What this order does. This order prohibits the shipment in railroad cars after 12:01 a. m., September 19, 1952, except as specifically directed by DSFA, from bituminous coal mines, loading ramps, coal preparation plants, or designated hold points, of bituminous coal produced at a mine, the operator of which has received a notice which will permit the termination of the contract with his employees, concerning terms and conditions of employment, on September 20, 1952.

SEC. 2. Definitions. As used in this order:

(a) "DSFA" means Defense Solid Fuels Administration, Department of the Interior, Washington 25, D. C.
(b) "Bituminous coal" includes all

forms of bituminous, subbituminous, and lignitic coals.

(c) "Person" means any individual, firm, partnership, corporation, association, or any other organized group of persons.

(d) "Shipper" means any person who ships bituminous coal produced at a mine, the operator of which has received a notice which will permit the termination of the contract with his employees, concerning terms and conditions of employment, on September 20, 1952, in railroad cars from a coal mine, a loading ramp, coal preparation plant, or designated hold points.

(e) "Coal mine" means any open pit, underground, or any other type of operation conducted for the primary purpose of producing coal.

(f) "Loading ramp" means any facility for the loading of bituminous coal from trucks into railroad cars for rail shipment.

(g) "Coal preparation plant" means a facility for the cleaning, sizing, or otherwise preparing bituminous coal for shipment in railroad cars.

(h) "Designated hold point" means a point designated by tariff where a specific number of cars may be held without billing free of demurrage.

Manager" (i) "Area Distribution means the person appointed by Defense Solid Fuels Administration as its temporary representative in a specified area for the period this order remains in effect. The names and addresses of Area Distribution Managers and the territories over which they have jurisdiction is shown in Appendix A to this order.

(j) "Railroad" means any common carrier by railroad subject to the jurisdiction of the Interstate Commerce

Commission.

SEC. 3. Restrictions on shipments of bituminous coal. Except as provided in section 5 of this order, no shipper shall ship or deliver to any railroad for shipment any bituminous coal in railroad cars after 12:01 a. m., September 19, 1952.

SEC. 4. Railroads prohibited from accepting bituminous coal for shipment. Pursuant to ICC Service Order No. 890, each railroad subject to such service order is prohibited after 12:01 a.m., September 22, 1952, from accepting for shipment over its lines any car of bituminous coal from any shipper, as defined in section 2 (d), unless the waybill or forwarding instructions covering the shipments contains a certification by the shipper substantially as set forth in section 8.

SEC. 5. Exceptions. The provisions of this order shall not apply to:

(a) Coal required by the operator of the producing coal mine for the operation of his power plant.

(b) Coal required to maintain minimum temperature in beehive coke ovens which the shipper operates.

(c) Any shipment which may be specifically authorized by the Defense Solid Fuels Administration.

SEC. 6. Report to Area Distribution Manager. Each shipper shall report by letter or telegram before noon of Monday, September 22, 1952, to the Area Distribution Manager having jurisdiction over the area in which his mine, loading ramp, coal preparation plant, or designated hold point, is located, the number of unbilled cars of bituminous coal by type of car and size of coal which he has on hand, together with the name of the railroad, or railroads, upon which his facility is located.

Sec. 7. Shipment of unbilled cars of coal held pursuant to this order. To assure the most efficient and equitable distribution of the available supply of bituminous coal in the interest of national defense and public health and welfare, DSFA will direct shipments of coal held on tracks in accordance with this order by individual directives issued pursuant to DSFA Order SFO-2. Such directives shall be in the form of a letter or telegram and must be fully complied with. Any person receiving such a directive requiring delivery of bituminous coal by him shall immediately acknowledge to DSFA receipt of the directive and shall indicate his ability to comply: Provided, however, That no shipper shall be required to deliver bituminous coal to any other person at the direction of the DSFA Administrator unless such other person makes arrangements for payment satisfactory to the shipper to whom the directive is issued. The terms proposed by the shipper shall not be more stringent than those he offers to his customers of like class in the normal course of his business, and the price charged shall not be higher than the applicable ceiling price established by the Office of Price Stabilization.

Sec. 8. Certification that shipment is made pursuant to the terms of this order. Each shipper who makes a shipment of bituminous coal by railroad after 12:01 A. M., September 19, 1952, shall place upon the waybill or forwarding instructions a certification substantially as follows:

This shipment is made pursuant to Directive No. \_\_\_\_ issued by DSFA under Order SFO-3.

SEC. 9. How a consumer may obtain coal. Any consumer of bituminous coal who is urgently in need of coal and who is unable to obtain coal from his normal source of supply because of a work stoppage at the mine where such coal is produced may apply to the Area Distribution Manager or DSFA for priority assistance. Such application may be in the form of a letter or telegram which gives the applicant's name and address, the name and address of his normal source of supply, size and type of coal required, the number of tons and the number of days' supply he has on hand, the purpose for which the coal is to be used, the nature of his business, and evidence of its essentiality to the national defense program or national health or welfare. The application should be directed to the Area Distribution Manager or Defense Solid Fuels Administration, Department of the Interior, Washington 25, D. C. It shall be the policy of DSFA to allocate and distribute the available supply of coal accumulated in railroad cars pursuant to this order on the basis of need and essentiality. An applicant to whom an allocation is made will be informed by telegram the name and the address of the shipper who has been directed to make shipment to him. It will then be the obligation of the applicant to communicate with the shipper and arrange for suitable terms of payment.

SEC. 10. Applications for adjustment or exemption. Any shipper subject to any provision of this order may file a request for adjustment or exception on the ground that such provision works an undue hardship upon him, not suffered generally by other shippers, and that its enforcement against him would not be in the interest of the national defense or in the public interest. Requests for adjustment or exemption may be either in the form of a letter or telegram and must set forth in detail all facts upon which they are based.

SEC. 11. Exemptions from damages or penalties. No person shall be held liable for damages or penalties under any contract for any default which shall result directly or indirectly from compliance with this order or any directive issued under it or under DSFA Order SFO-2.

SEC. 12. Violations. Any person who wilfully fails to comply with the provisions of this order or with any directive issued under this order or DSFA Order SFO-2, or who wilfully conceals a material fact or furnishes false information in the course of operation under this order or any directive issued pursuant to this order or DSFA Order SFO-2, is guilty of a crime and upon conviction may be punished by fine or imprisonment or both. In addition, administrative action may be taken against any such person to suspend his privilege of making or receiving further deliveries of solid fuels or using facilities under priority or allocation control and to deprive him of priorities assistance.

SEC. 13. Communications. All communications concerning this order or any directive issued pursuant to this order shall be addressed to 'Defense Solid Fuels Administration, Department of the Interior, Washington 25, D. C."

Note: All reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on September 19, 1952.

DEFENSE SOLID FUELS ADMINISTRATION, CHAS. W. CONNOR, Defense Solid Fuels Administrator.

#### APPENDIX A

The Area Distribution Managers and the

districts they will cover are as follows: District 1 (eastern Pennsylvania, Maryland, and Grant, Mineral, and Tucker Counties of West Virginia): F. Wallace Krater, Central Pennsylvania Coal Producers Associstion. Pennsylvania Electric Building, Al-

toona, Pa. Telephone: Altoona 3-8175. District 2 (western Pennsylvania): H. A. Sutter, Western Pennsylvania Coal Operators Association, Oliver Building, Pittsburgh, Telephone: Court 1-2446.

District 3 (northern West Virginia): Daniel E. Cronin, Fairmont Coal Bureau, Peoples Building, Fairmont, W. Va. Telephone: Fairmont 4230.

District 4 (Ohio) and District 6 (West Virginia panhandle): Ezra Van Horn, Ohio Coal Association, NBC Building, Cleveland, Ohio, Telephone: Prospect 1-8232.

District 7 (low volatile coal producing areas of Virginia and West Virginia): Dan Carroll, c/o Pocahontas Operators Associa-tion, Bluefield, W. Va. Telephone: Bluefield 8149

District 8 (high volatile coal producing areas of West Virginia, eastern Kentucky, southwest Virginia, North Carolina, and Tennessee): Goodwyn Holmes, Appalachian Coals Inc., Cincinnati, Ohio. Telephone: Highland 0635.

District 10 (Illinois): J. R. Henderson, Illinois Coal Producers Advisory Association, 105 West Monroe, Chicago, Ill. Telephone: Franklin 2-7952.

District 11 (Indiana): C. C. Lydick, Coal Trade Association of Indiana, 632 Cherry Street, Terre Haute, Ind. Telephone: Crawford 1353.

[F. R. Doc. 52-10264; Filed, Sept. 17, 1952; 10:16 a. m.]

# Chapter XXI—Office of Rent Stabilization, Economic Stabilization Agency

[Rent Regulation 1, Amdt. 76 to Schedule A] [Rent Regulation 2, Amdt. 74 to Schedule A]

RR 1-Housing

RR 2—ROOMS IN ROOMING HOUSES AND OTHER ESTABLISHMENTS

SCHEDULE A—DEFENSE-RENTAL AREAS INDIANA, MICHIGAN, PENNSYLVANIA AND NEW JERSEY

Effective September 18, 1952, Rent Regulation 1 and Rent Regulation 2 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 15th day of September 1952.

JAMES McI. HENDERSON, Director of Rent Stabilization.

 Schedule A, Item 102, is amended to describe the counties in the defenserental area as follows:

Lake County, except the Cities of Crown Point, East Chicago, Hammond, Hobart and Whiting, the Towns of East Gary, Highland and Munster, and the Townships of Cedar Creek, Eagle Creek, Hanover, West Creek and Winfield.

Ditto

In Lake County, the Town of Highland, and the Townships of Hanover and Winfield.

This decontrols the City of Whiting and the Town of East Gary both in Lake County, Indiana, portions of the Gary-Hammond, Indiana, Defense-Rental Area.

Schedule A, Item 149, is amended to describe the countles in the defenserental area as follows:

Oakland County, except (i) the Townships of Addison, Avon, Bloomfield, Brandon, Commerce, Farmington, Groveland, Highland, Holly, Independence, Milford, Novl. Oakland, Orion, Oxford, Pontiac, Rose, Springfield, Troy, Waterford and West Bloomfield, (ii) the Villages of Clarkston, Holly, Lake Orion, Leonard, Milford, Ortonville, Oxford, Rochester and that portion of Northville located in Oakland County, and (iii) the Cities of Berkley, Birmingham, Bloomfield Hills, Clawson, Farmington, Ferndale, Hazel Park, Pleasant Ridge, Pontiac, Royal Oak, South Lyon and Sylvan Lake; Wayne County, except (i) the Cities of Belleville, Ecorse, Garden City, Grosse Pointe, Grosse Pointe Farms, Grosse Pointe Park, Grosse Pointe Woods, Lincoln Park, Livonia, Melvindale, Flymouth and River Rouge, (ii) the Villages of Allen Park, Flat Rock, Grosse Pointe Shores, Inkster, Rockwood, Trenton and Wayne, (iii) that portion of the Village of Northville located in Wayne County, and (iv) the Townships of Brownstown, Canton, Ecorse, Grosse Ile, Huron, Nankin, Northville, Plymouth, Romulus, Sumpter, Taylor and Van Buren; and Macomb County, except the Cities of Centerline, East Detroit and Mount Clemens, the Villages of Fraser and Roseville, and the Townships of Armada, Bruce, Harrison, Lenox, Macomb, Ray, Richmond, Shelby, Sterling and Washington.

This decontrols the City of Centerline in Macomb County, Michigan, a portion of the Detroit, Michigan, Defense-Rental Area.

Schedule A, Item 266, is amended to describe the counties in the defenserental area as follows:

Bucks County; Chester County; Delaware County, except the Township of Concord, and the Boroughs of Media, Rose Valley and Swarthmore; Montgomery County, except the Borough of North Wales; and Philadelphia County.

In Bucks County, the Townships of Bensalem, Bristol, Palls, Lower Makefield, Middletown, Newton, Northampton, Upper Makefield, and Wrightstown, and the Boroughs of Bristol, Hulmeville, Langhorne, Langhorne Manor, Morrisville, Newton, Penndeil, South Langhorne, Tullytown and Yardley. This decontrols the Township of Concord in Delaware County, Pennsylvania, a portion of the Philadelphia, Pennsylvania Defense-Rental Area.

All decontrols effected by these amendments are based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

4. Schedule A, Item 190, is amended to read as follows:

State and name of defense-rental area	Class	County or counties in desense-rental area under regulation	Maximum rent date	Effective date of regulation
New Jersey				
(189) Paterson	В	Bergen County, except the boroughs of Allendale, Hohokus, Ramsey, Rutherford and Saddle River, the village of Ridgewood, and the township of Mahawah; Morris County, except the township of Jefferson; and Passale County.	Mar. 1, 1942	July 1, 1942
New Jersey	C A	Morris County, except the township of Jefferson In Morris County, the township of Jefferson	Sept. 1, 1950	Feb. 11, 1952 Do,
(190) Northeastern New Jersey.	В	The counties of Essex, Hudson, Middleser, Mon-mouth, Somerset, and Union.	Mar. 1, 1942	July 1, 1942

The effect of these amendments is to divide the Northeastern New Jersey Defense-Rental Area as it existed prior to these amendments into the two defense-rental areas described above.

[F. R. Doc. 52-10188; Filed, Sept. 17, 1952; 8:56 a. m.]

[Rent Regulation 3, Amdt. 83 to Schedule A] [Rent Regulation 4, Amdt. 27 to Schedule A]

RR 3-HOTELS

RR 4-MOTOR COURTS

SCHEDULE A-DEFENSE-RENTAL AREAS

INDIANA AND NEW JERSEY

Effective September 18, 1952, Rent Regulation 3 and Rent Regulation 4 are amended as set forth below.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

Issued this 15th day of September 1952.

James McI. Henderson, Director of Rent Stabilization.  Schedule A, Item 102, is amended to describe the counties in the defenserental area as follows:

Lake County, except the Cities of Crown Point, East Chicago, Hammond, Hobart and Whiting, the Towns of East Gary and Munster, and the Townships of Cedar Creek, Eagle Creek and West Creek.

This decontrols the City of Whiting and the Town of East Gary both in Lake County, Indiana, portions of the Gary-Hammond, Indiana, Defense-Rental Area, based on resolutions submitted under section 204 (j) (3) of the act.

Schedule A, Item 190 is changed to Item 189 and is amended to read as follows:

Name of defense-rental area	State	County or countles in defense-rental area under regulation	Maximum rent date	Effective date of regu- lation	
(189) Paterson	New Jersey,	Morris County	Sept. 1,1950	Feb. 11, 1952	

The effect of these amendments is to create the Paterson, New Jersey, Defense-Rental Area and to transfer jurisdiction of Morris County to that Area. Morris County has heretofore been under the jurisdiction of the Northeastern New Jersey Defense-Rental Area, Item (190).

[F. R. Doc. 52-10189; Filed, Sept. 17, 1952; 8:56 a. m.]

# TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS CHOPTANK RIVER, MARYLAND

Pursuant to the provisions of section 5 of the River and Harbor Act of August

18, 1894 (28 Stat. 362; 33 U. S. C. 499). § 203.245 is hereby amended by modification of paragraph (f) (6), governing the operation of the Baltimore and Eastern Railroad Company bridge across the Choptank River at Denton, Maryland, as follows:

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

(f) Waterways discharging into

(6) Choptank River, Md.; Baltimore and Eastern Railroad Company bridge at Denton. At least thirty days' advance notice required. Paragraph (e) of this section shall not apply to this bridge.

No. 183-3

[Regs., August 29, 1952, ENGWO] (28 Stat. 362; 33 U. S. C. 499)

WM. E. BERGIN, Major General, U. S. Army, The Adjutant General.

F. R. Doc. 52-10141; Piled, Sept. 17, 1952; 8:45 a. m.)

# TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I-Veterans' Administration

PART 4-DEPENDENTS AND BENEFICIARIES CLAIMS

MISCELLANEOUS AMENDMENTS

1. In § 4.4, paragraph (a) (1) is amended to read as follows:

§ 4.4 Indian wars. For the purposes of the acts of March 4, 1917 (39 Stat. 1199), and March 3, 1927 (44 Stat. 1361). as amended, the following definitions of relationship shall govern in the adjudication of claims for death pension:

(a) Widow. (1) The term "widow" shall mean a person who was married to the veteran prior to March 4, 1917. However, the \$60 rate (\$64.50 for periods on and after July 1, 1952) provided for in the act of March 3, 1944, as amended, is payable only when the unremarried widow was the wife of the veteran during his Indian war service (Pub. Law 245, 78th Cong., Pub. Law 398, 80th Cong., and Pub. Law 356, 82d Cong.), (See § 4.80.) Continuous cohabitation to date of death of the veteran is required in marriages entered into subsequent to March 2, 1899. (30 Stat. 1380.) (See \$ 4.16.)

(R. S. 4766, as amended, sec. 1, 39 Stat. 1199, sec. 2, 44 Stat. 1362, as amended, sec. 3, 58 Stat. 109, 62 Stat. 4. Pub, Law 356, 82d Cong.; 38 U. S. C. 192, 374a, 375, 331a, 381e)

2. In § 4.6, paragraph (a) (1) is amended to read as follows:

§ 4.6 Civil War. For the purposes of any service pension law granting pension to widows, remarried widows, and children of veterans of the Civil War, the following definitions of relationship shall govern in the adjudication of claims for death pension:

(a) Widow. (1) The term "widow" shall mean a person who was married to the veteran prior to June 27, 1905. However, the \$60 rate (\$64.50 for periods on and after July 1, 1952) provided for in the act of July 3, 1926, as amended by the acts of July 30, 1947 and May 23, 1952, is payable only when the widow was the wife of the veteran during his Civil War service. Continuous cohabitation to date of death of the veteran is required in marriages entered into subsequent to March 2, 1899. (30 Stat. 1380.) (See § 4.16.)

(R. S. 4708, as amended, R. S. 4766, as amended, sec. 3, 26 Stat. 182, as amended, sec. 2, 3, 39 Stat. 845, as amended, sec. 4, 41 Stat. 536, sec. 2, 44 Stat. 806, sec. 3, 46 Stat. 529, sec. 1, 58 Stat. 797, sec. 2, 61 Stat. 610, Pub. Law 356, 82d Cong.: 38 U. S. C. 192, 205, 276, 281, 283, 285, 288, 291, 291b, 293)

3. In § 4.12, paragraph (a) (1) is amended to read as follows:

§ 4.12 Spanish-American War, Boxer Rebellion, and Philippine Insurrection; service acts as reenacted by Public No. 269, 74th Congress, and as amended. For the purposes of Public No. 166, 69th Congress (act of May 1, 1926), as reenacted by Public No. 269, 74th Congress (act of August 13, 1935), and amended by Public Law 144, 78th Congress (act of July 13, 1943), Public Law 242, 78th Congress (act of March 1, 1944), Public Law 762, 80th Congress (act of June 24, 1948), and Public Law 108, 82d Congress (act of August 4, 1951), the following definitions of relationship shall govern in the adjudication of claims for death pension:

(a) Widow. (1) The term "widow" of a veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall mean a person who was married to the veteran prior to January 1, 1938. As to awards and increases in pension approved on or after March 1, 1944, continuous cohabitation as described in § 4.16 must be established (sec. 4. Pub. Law 242, 78th Cong.): Provided, That where the widow is entitled solely by virtue of the provisions of section 2, Public Law 242, 78th Congress, pension shall not be paid for any period prior to April 1, 1944. However, the \$60 rate (\$64.50 for periods on and after July 1, 1952) is payable only when the widow was the wife of the veteran during his war service. (Pub. Law 242, 78th Cong., act of March 1, 1944, as amended) (See \$ 4.117.)

(Sec. 2, 44 Stat. 382, as amended, sec. 4, 58 Stat. 107, secs. 1, 2, 62 Stat. 645, secs. 1, 2, 49 Stat. 614, Pub. Laws 108 and 356, 82d 38 U. S. C. 364a, 364h, 364i, 364j, 368, 369)

4. In § 4.91, paragraph (c) (1) is amended to read as follows:

§ 4.91 Apportionment. . .

(c) Rates payable—(1) General. In apportioning compensation or pension between a widow and a child or children not in her custody, the amount payable to a widow is specified in succeeding subdivisions of this subparagraph. The remainder of the amount which would be payable to the widow if all children were in her custody will be equally divided among the children. The amount payable on behalf of any child or children in the widow's custody will be added to the widow's share. Where the widow is entitled to a higher rate by reason of attained age or by reason of having been the wife of the veteran during service, the additional amount shall be added to her share.

(i) Compensation. For periods prior to September 1, 1948, and where compensation is payable at a protected rate under section 20, Public No. 78, 73d Congress, or section 28, Public No. 141, 73d Congress, the rule outlined in subdivision (ii) (a) of this subparagraph shall apply. For periods on and after September 1, 1948, and prior to July 1, 1952, where the wartime rate is payable, the rate for the widow shall be \$60 monthly and for periods on and after July 1, 1952, shall be \$65 monthly. For periods on and after September 1, 1948, and prior to July 1, 1952, where the peacetime rate is payable, the rate for the widow shall be \$48 monthly, and for periods on and after July 1, 1952, shall be \$52 monthly.

(ii) Pension. Public No. 484, 73d Congress, as amended, and Part III, Veterans' Regulation 1 (a) (38 U. S. C. ch. 12):

(a) Apportionment of death pension which is payable under Part III, Veterans' Regulation 1 (a), or which is payable for periods prior to July 1, 1952, under Public No. 484, 73d Congress, as amended, shall be computed as follows: The share for all children for whom claim is filed will be that amount to which they would be entitled if there were no widow. The widow's share will be the difference between the children's share and the total amount payable on account of the widow and all children for whom claim is filed. If, in the application of this rule, the widow's share would be increased to an amount greater than the amount to which she would be entitled if there were no children, then her share will be the amount to which she would be entitled if there were no children, and the difference between the amount of such widow's share and the entire amount payable for the widow and children will be the children's share. If, however, in the application of this rule, the widow's share would be reduced to an amount lower than 50 percent of that to which she would be entitled if there were no children, then her share will be 50 percent of the amount to which she would be entitled if there were no children, and the difference between the amount of such widow's share and the entire amount payable for the widow and children will be the children's share.

(b) In apportionment of pension under Public No. 484, 73d Congress, as amended, for periods on and after July 1, 1952, where there is a widow and one child, the rate for the widow shall be \$36 monthly and where there is a widow and more than one child, the rate for the widow shall be \$30 monthly.

(iii) Civil War pension. Public No. 190, 66th Congress (act of May 1, 1920), as amended:

On and after July 1, 1952 (Public Law 356, S2d Cong.) On and after Oct. 17, 1940 (sec. 3, Public Law 865, 70th Cong.) On and after Sept. I, 1947 (Public Law • 270, 80th Cong.) Widow. Each additional child.....

(iv) Indian War pension. Public No. 723, 69th Congress (act of March 3, 1927), as amended:

	Oct. 17, 1940 (sec. 3, Public Law 866, 76th Cong.)	Mar. 1, 1948 (Public Law 298, 80th Cong.)	
Widow	\$21.00	\$25, 20	\$27.09
Child	15.00	18, 00	19.35
Each additional child	6.00	7, 20	7.74

(v) Spanish-American War (including Boxer Rebellion and Philippine Insurrection) pension, Service Act, reenacted by Public No. 269, 74th Congress, and amended. Public No. 166, 69th Congress (act of May 1, 1926), as reenacted by Public No. 269, 74th Congress, and as amended:

	On and after	On and after	On and after	On and after
	Oct. 17, 1940	Sept. 1, 1946	Sept. 1, 1947	July 1, 1952
	(sec. 3, Public	(Public Law	(Public Law	(Public Law
	Law 865, 76th	611, 79th	270, 80th	356, 82d
	Cong.)	Cong.)	Cong.)	Cong.)
Widow	\$21, 00	\$28,00	\$33, 60	\$36, 12
Child	15, 00	18:00	21, 60	23, 22
Each additional child	6, 00	6,00	7, 20	7, 74

5. In § 4.122, paragraph (a) (1) and (3) is amended to read as follows:

§ 4.122 Death due to peacetime service—(a) Peacetime rate. (1) Where death resulted from active military or naval service rendered subsequent to March 4, 1861, during time of peace (except as to those instances falling within the purview of paragraph (b) of this section), the following rates are payable:

		Per month					
	Aug. I, 1943, to	On and after	On and after	On and after			
	Aug. 31, 1948	Sept. I, 1948	Dec. 1, 1949	July 1, 1952			
	(Public Law	(Public Law	(Public Law	(Public Law			
	144, 78th	868, 80th	339, 81st	356, 82d			
	Cong.)	Cong.)	Cong.)	Cong.)			
Widow	\$38,00	\$60.00	\$60,00	\$60,00			
	49,00	80.00	84,00	96,80			
	10.00	12.00	20,00	23,20			
equally divided; 1 child. 2 children Three children Each additional child Dependent mother or father (Or both), each	36,00 8,00 30,00	46, 40 65, 60 84, 80 16, 00 48, 00 28, 00	46, 40 65, 60 84, 80 16, 00 48, 00 28, 00	53, 60 75, 20 97, 60 18, 40 48, 60 28, 00			

(3) The foregoing rates for the period prior to September 1, 1948, are contained in Public Law 690, 77th Congress, and section 14 (b), Public Law 144, 78th Congress. The rates on and after September 1, 1948, are authorized by paragraph III, Part II, Veterans' Regulation 1 (a) (38 U. S. C. ch. 12), as amended by section 3, Public Law 868, 80th Congress. The increase in rates payable for periods on and after December 1, 1949, for widows with children is contained in section 3 (b), Public Law 339, 81st Congress. The rates on and after July 1, 1952, are authorized by section 3, Public Law 356, 82d Congress.

(55 Stat. 844, as amended, sec. 14, 57 Stat. 558, as amended, 60 Stat. 223, 62 Stat. 1213, sec. 3, 63 Stat. 732, Pub. Law 356, 82d Cong.; 10 U. S. C. 336, 38 U. S. C. 731, ch. 12 note)

6. In § 4.124, the headnote, and paragraph (a) (1) and (3) are amended to read as follows:

§ 4.124 Death due to wartime service or service on or after June 27, 1950. (a) (1) Where death resulted from active military or naval service rendered during the Civil War, the Indian wars, the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, World War I, World War II, or service on or after June 27, 1950, the following rates are payable:

Per month Aug. 1, 1943, to Aug. 31, 1946 (Public Law 144, 78th Cong.) Sept. 1, 1946, to Aug. 31, 1948 (Public Law 662, 79th Cong.) On and after Sept. 1, 1948 (Public Law 868, 80th Cong.) On and after Dec. 1, 1949 (Public Law 339, 81st Cong.) On and after July 1, 1952 (Public Law 356, 824 Cong.) Widow.
Widow with 1 child.
Each additional child.
Children where there is no widow, total payable equally divided;
1 child.
2 children.
3 children. \$50,00 65,00 13,00 \$60,00 78,00 15,60 \$75.00 100.00 15.00 \$75,00 105,00 25,00 \$75, 00 121, 00 20, 00 30. 00 45. 60 57. 60 12. 00 54. 00 30. 00 58.00 82.00 106.00 20.00 60.00 35.00 25, 00 38, 00 48, 00 10, 00 45, 00 25, 00 67, 00 94, 00 122, 00 23, 00 60, 00 35, 00 88, 00 82, 00 106, 00 20, 60 60, 00 35, 00 3 children
Each additional child
Dependent mother or father
(Or both), each

(3) The foregoing rates for periods prior to September 1, 1948, are contained in section 5, Public No. 198, 76th Congress, as amended by section 10, Public Law 667; 77th Congress; section 14 (a), Public Law 144, 78th Congress; and section 2, Public Law 662, 79th Congress. The rates in section 5, Public No. 198, 76th Congress, originally applied only to World War I cases but were specifically made applicable to cases pertaining to the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, under the terms of Public Law 242, 77th Congress, and became applicable to cases pertaining to the other wars by reason of the provisions of paragraph I (c), Part II, Veterans Regulation 1 (a) (38 U. S. C. ch. 12), as amended by Public Law 359, 77th Congress. The rates on and after September 1, 1948, as to cases pertaining to Spanish-American War, Boxer Rebellion and Philippine Insurrection, World War I, and World War II are contained in paragraph IV, Part I, Veterans Regulation 1 (a), as amended by section 1. Public Law 868, 80th Congress, and are applicable to cases pertaining to other wars by virtue of the provisions of section 2, Public Law 868, 80th Congress, The increase in rates payable for periods on and after December 1, 1949, for widows with children is contained in section 3 (b), Public Law 339, 81st Congress. These rates were made applicable, effective May 11, 1951, to claims based on service rendered on or after June 27, 1950 (see § 4.31), by Public Law 28, 82d Congress. The rates on or after July 1, 1952, are contained in Public Law 356, 82d Congress.

(Sec. 5, 53 Stat. 1070, as amended, 55 Stat. 665, 844, as amended, sec. 14, 57 Stat. 558, as amended, sec. 2, 60 Stat. 910, 60 Stat. 13, 223, 62 Stat. 1213, sec. 3, 63 Stat. 732, Pub. Laws 28 and 356, 82d Cong.; 10 U. S. C. 336, 38 U. S. C. 38, 471a-3, 472b, 731, ch. 12 note)

7. Section 4.126 is revised to read as follows:

§ 4.126 Death due to Veterans' Administration hospital treatment, etc.-(a) Rates under section 31, Title III, Public No. 141, 73d Congress, or section 12. Public No. 866, 76th Congress. Where death occurred under the conditions set forth in section 31, Title III, Public No. 141, 73d Congress, or section 12, Public No. 866, 76th Congress, the rates payable (1) where the veteran served in a war or on or after June 27. 1950, are those authorized in paragraph 1, Veterans' Regulation 1 (g) (38 U.S. C. ch. 12), subject for periods on and after September 1, 1946, to the increases provided by section 2, Public Law 662, 79th Congress, or (2) where the veteran served during peacetime are those authorized in paragraph 2, Veterans' Reg-ulation 1 (g): Provided, That for periods on and after September 1, 1948, the rates outlined in § 4,122 or § 4,124, whichever is applicable, shall be payable. Nothing contained in this paragraph shall prevent the payment of a higher rate under a service or other act where authorized.

(b) Rates under section 2, Public Law 16, 78th Congress (par. 4, Part VIII, Veterans' Regulation 1 (a). Where

the death of a veteran of World War II on or after June 27, 1950, occurred under the conditions set forth in section 2. Public Law 16, 78th Congress (paragraph 4, Part VII. Veterans Regulation 1 (a)), and Public Law 894, 81st Congress, the rates payable are those set forth in § 4.124.

(Sec. 31, 48 Stat. 526, sec. 12, 54 Stat. 1197, sec. 2, 57 Stat. 43, sec. 2, 60 Stat. 910, Pub. Law 594, Slat Cong.; 38 U. S. C. 471a-3, 501a, 501a-1, ch. 12 note)

335 8. Section 4.130 is revised to read follows:

Indian mars. \$ 4.130

	1 協商医生	Dan ow
	On and after July 1, 1922 (Phyllic Law 156, 82d Cong.)	22 13 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1
SWITTER ST	On and after Mar. 1, 1948 (Pathle Law 208, 80th Cong.)	25 25 25 25 25 25 25 25 25 25 25 25 25 2
1	Prior to Mar. 1, 1948	2000 2000 2000 2000 2000 2000 2000 200
		(a) Widows: Act of Mar. 3, 1927 Act of Mar. 3, 1944 Separate of age or tour The definition of the service Additional for each child Act of Mar. 3, 1927 Additional for each child  Set of Mar. 3, 1927 Additional for each child Act of Mar. 3, 1927—1 child  (Additional for each child)

(Secs. 2, 4, 44 Stat. 1962, 1363, as amended, sec. 3, S8 Stat. 109, 62 Stat. 4, Pub. Law 356, 82d Cong.; 38 U. S. C. 374s, 381s, 381c, 381e,

Section 4.132 is revised to read as follows: 6

Civil War. \$ 4.132

The mount
Prior to Sept. Sept. 1, 1947 1, 1947 (Public Low 270, 80th Cong.
Act of May 1, 1920. Act of May 1, 1920. Act of July 3, 1925 (vije during service) Act of July 3, 1925 (vije during service) Act of July 4, 1920 (vije during service) Act of Jule 5, 1931 (vije control of the control o

1 3

2

(Sec. 4, 41 Stat. 385, sec. 2, 44 Stat. 305, sec. 3, 46 Stat. 529, sec. 1, 58 Stat. 757, sec. 2, 61 Stat. 610, Pub. Law 356, 82d Cong.; 38 U. S. C. 276, 288, 291, 291b, 293)

# 10. In § 4.134, paragraph (a) is amended to read as follows:

\$4174 Spanish American War, including the Barer Rebellion and Philippine Insurrection—(a) Rates under the act of May 1, 1925, as remacted by Public No. 269, 74th Congress and as amended; sections I and 7, Public Law 144, 78th Congress.

(1) Widows and remarried widows.

		Por	month	
	On and after Age, L. 1944 (Public Law 262, 78th Cong.)	On and other Sept. J. 1946 (Public Law 611, 78th Cong.)	On and after Sept. 1, 1947 (Public Law 278, Stib Cong.)	On and after July 1, 1982 (Public Law 336, Sat Cong.)
16 years of anti- s of are or over active service.	00 363 00 363 00 363	200 200 200 200 200 200 200 200 200 200	\$48.00 48.00 68.00 72.30	88 H H H H H H H H H H H H H H H H H H

Where there is a widow or remarried widow, the additional amount for a child is applicable as to each child within the purview of either § 4.2 (b) (1) or § 4.14 (c). (See § 4.12 (c).)

(2) Children, where there is no widow. (i) The rates for children who are eligible by reason of the definition of the term "child" contained in § 4.2 (b) (1) (see § 4.12 (c)), are as follows:

The rate for a child or children entitled under this subdivision is not affected by any payments made to a child or children under subdivision (ii) of this subparagraph over the same period of time.

(iii) The rates for children who are eligible solely as a result of the definition of the term "child" contained in § 4.14 (c) (see § 4.12 (c)), shall be as follows:

	On and after July 1, 1962 (Public Law 256, 804 Cong.)	8888 8888
Per month	On and after Sept. 1, 1967 (Public Law 270, 88th Cong.)	製造され
Pern	On and after Sept. I. 1996 (Public Law 611, 79th Cong.)	2943 2948 8888
	On and after June 1, 1964 (Public Law 312, 7818 Cong.)	\$18 27,88 4,88 4,88
		1 child the state of the state

The rate for a child or children entitled only under this subdivision over any period of time that a child or children are entitled under subdivision (i) of this subparagraph will be the share to which such child or children would be entitled, if all of the children were awarded pension under this subdivision.

(Sec. 2, 44 Stat. 382, as amended, sec. 1, 49 Stat. 614, sec. 1, 57 Stat. 554, sec. 3, 58 Stat. 107, sec. 4, 60 Stat. 864, sec. 1, 61 Stat. 610,

sec. 1, 62 Stat. 645, Pub. Laws 108 and 356, 82d Cong.; 38 U. S. C. 364a, 364g, 364g-l, 364l, 368, 3701, 727)

11. Section 4.140 is revised to read as follows:

§ 4.140 World War I, World War II, and service on or after June 27, 1950. Rates under Public No. 484, 73d Congress (act of June 28, 1934), as amended; Pub. Law 312, 78th Cong.; Pub. Law 28, 82d Cong. (act of May 11, 1951):

	Per month		
	On and after June 1, 1944 (Public Law 312, 78th Cong.)	On and after Sept. 1, 1946 (Public Law 662, 70th Cong.)	On and after July 1, 1952 (Public Law 356, 824 Cong.)
Widow Widow with 1 child. Each additional child. Children where there is no widow, total payable equally divided: 1 child. 2 children. 3 children Each additional child.	\$35,00 45,00 5,00 27,00 36,00 4,00	\$42.00 54.00 6.00 21.60 32.40 43.20 4.80	\$48.0 60.0 7.2 26.0 39.0 52.0 -7.2

The total payable shall not exceed \$64 for periods prior to December 14, 1944, and \$74 for periods on or after December 14, 1944, and prior to August 8, 1946 (sec. 2, Pub. Law 483, 78th Cong.). No limitation as to the amount payable is applicable for periods on and after that date (Pub. Law 673, 79th Cong.).

(Sec. 2, 48 Stat. 1281, as amended, sec. 2, 60 Stat. 910, Pub. Laws 28 and 356, 82d Cong.; 38 U. S. C. 471a-3, 504, 745)

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11a, 426, 707)

This regulation effective September 18, 1952.

[SEAL]

H. V. STIRLING, Deputy Administrator.

[F. R. Doc. 52-10195; Filed, Sept. 17, 1952; 8:58 a. m.]

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

PROVISIONAL REGULATIONS; SERVICEMEN'S INDEMNITY FOR DEATH

In § 4.453, new paragraphs (p) (q) and (r) are added as follows:

§ 4.453 Servicemen's indemnity for death. \* \*

(p) Basic requirements of service as outlined in paragraph (c) of this section—(1) Reserves. Active service in the Reserve components of the Army, Air Force, Navy, Marine Corps, and Coast Guard includes active duty for training purposes. Inactive duty for training is excluded except "while engaged in aerial flights in Government-owned or leased aircraft" as comprehended under paragraph (c) (2) (i) of this section.

(2) National Guard. (i) In time of national emergency, such as the Korean hostilities, the National Guard organizations or units of the various States, territories, and the District of Columbia may be mustered into the Federal service in answer to a call or order of the President of the United States. Service rendered after muster into the Federal

service is as a member of the Army or Air Force. When serving on such extended active duty in the Army or Air Force, the entitlement of guardsmen to indemnity is the same as that of the Regular Establishment and the Reserve components of the Armed Forces on extended active duty, and specific information as to the length of the period of service for which called or ordered, that is, 14 days or over, is not required.

(ii) "Active duty or active training duty for 14 days or more" in the National Guard, as described under paragraph (c) (1) (ii) of this section, comprehends such duty under the sections of the National Defense Act (act of June 3, 1916), as amended, which are enumerated in section 3, Public Law 108, 81st Congress, that is, sections 5, 81, 92, 94, 97, and 99. If the duty was not performed under one of the enumerated sections of the National Defense Act, there is no entitlement to indemnity. For indemnity coverage, duty must be performed in the interests of the Federal Government, purely State duty being excluded. Accordingly, National Guardsmen called to active duty by the Governor of a state in connection with an emergency, such as flood relief, to quell a riot, or to impose martial law, are excluded. There is no entitlement to indemnity based upon inactive training duty, such as assemblies for drill or instruction, except while "engaged in aerial flights in Government-owned or leased aircraft" as comprehended in paragraph (c) (2) (i) of this section.

(3) Persons provisionally accepted for service (volunteers), Reservists called to active duty subject to final type physical examination and registrants (selectees) under Selective Service Act of 1948, as amended. Paragraph (c) (2) (ii) and (iii) of this section comprehends the following classes under the conditions specified therein:

(i) Persons (volunteers) who have been or are provisionally accepted and directed to report to the place of final acceptance.

(ii) Reservists of the Army, Air Force, Navy, Marine Corps, or Coast Guard called to active duty, including active duty for training purposes, subject to passing a final type physical examination prior to acceptance for duty.

(iii) Registrants (selectees) under the Selective Service Act of 1948, as amended (designated as the "Universal Military Training and Service Act" by Pub. Law 51, 82d Cong.).

Coverage of persons provisionally accepted (volunteers) and registrants (selectees) is limited to those who died or shall die as a result of disability incurred while en route from the place of assembly or draft board to the induction station, and does not extend to travel to the place of assembly or draft board or to the period after rejection, including the return trip. Coverage of Reservists under paragraph (c) (2) (ii) of this section applies in those cases in which the Reservists are called to active duty by the terms of their orders, even though the duration of such active duty is made conditional upon medical examination to determine fitness for active duty. If the terms of the orders do not place the Reservists in active duty, the limitations prescribed for volunteers and selectees shall apply.

(q) Reservists and National Guardsmen engaged in aerial flights in Government-owned or leased aircraft; paraoraph (c) (2) (i) of this section-(1) Crew members and passengers. Under paragraph (c) (2) (i) of this section, engagement in aerial flights in Government-owned or leased aircraft has to be an incident to military or naval training. Coverage thereunder is not confined to persons assigned as members of the crew on the flights, but extends to those persons designated as passengers who are engaged in aerial flights as part of their training duty, such as members of combat units (paratroopers), trainees, administrative and logistic personnel, etc. It is not the particular position they occupy in aerial flights but their status of training duty which determines whether they are deemed to be in active service under the second proviso of section 2 of Public Law 23.

(r) Additional 120-day coverage; death after service. Under paragraph (c) (1) of this section, if the serviceman had been called to extended active duty for a period exceeding 30 days, indemnity may be payable if death occurred within 120 days after separation or release from such active service. The additional 120day coverage extends to any serviceman called to active service for a period exceeding 30 days, notwithstanding the fact that any such person may have been separated or released from such active service prior to having served for a period exceeding 30 days. (Instruction No. 1-D, Part I, Pub. Law 23, 82d Cong.)

(Sec. 5, 43 Stat. 608, as amended, sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9; 38 U. S. C. 11n, 428, 707)

This regulation effective September 18, 1952.

[SEAL]

H. V. STIRLING, Deputy Administrator.

[F. R. Doc. 52-10194; Filed, Sept. 17, 1952; 8:58 a. m.] PART 21-VOCATIONAL REHABILITATION AND EDUCATION

SUBPART A-REGISTRATION AND RESEARCH

SPECIAL CONSIDERATIONS CONCERNING PUR-SUIT OF EDUCATION OR TRAINING AFTER STATUTORY BELIMITING DATE

In § 21.36 (e), a new subparagraph (1) is added as follows:

§ 21.36 Special considerations concerning the pursuit of education or training after the statutory delimiting date.

(e) Normal progression. . .

(1) A review or coaching course or special licensing examination preparatory course (for example, a bar review course, a CPA coaching course, or a coaching course for licensure examination as a stationary engineer), following basic professional training or basic training in the skills of a trade does not represent an advancement or progression to a level of knowledge or skills which is higher than the basic professional or basic trade training and therefore may not be held to be a normal progression from such basic course.

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 2, 57 Stat. 43, as amended, sec, 400, 58 Stat. 287, as amended; 38 U. S. C. 11a, 701, 707, ch. 12 note. Interprets or applies secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500–1504, 1506, 1507, 58 Stat. 286, 300, as amended; 38 U. S. C. 693g, 697–697d, 697f, g, ch. 12 note)

This regulation effective September 18, 1952.

[SEAL]

H. V. STIRLING, Deputy Administrator,

[F. R. Doc. 52-10192; Filed, Sept. 17, 1952; 8:57 a. m.]

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART A-REGISTRATION AND RESEARCH

EFFECTIVE BEGINNING DATES FOR PAYMENT OF BENEFITS; RATES OF SUBSISTENCE AL-LOWANCE

1. In § 21.100 (b), subparagraphs (2) and (3) are amended to read as follows:

§ 21.100 Effective beginning dates for payment of benefits.
(b)

(2) The date of entrance or reentrance into training as certified by the institution or establishment on VA Form 7-1953 (original or supplemental) will be accepted if the certification is received in the Veterans' Administration within a period of 90 days from that date or the date VA Form 7-1953 was issued, whichever is the later. The date of reentrance into training as certified on VA Form 7-1909 by the institution or establishment will be accepted if the certification is received in the Veterans' Administration within a period of 90 days from the certified date of reentrance. Otherwise, except as provided in subparagraph (3) of this paragraph, the date of receipt of VA Form 7-1953 or 7-1909 by the Veterans' Administration will be the governing date.

(3) Where, prior to the cut-off date as defined in § 21.35, a veteran's application for education or training and/or subsistence allowance or the certification of his entrance or reentrance into training or evidence of dependency is received in the Veterans' Administration after the 90-day delimiting period prescribed in subparagraphs (1) and (2) of this paragraph, and where in view of all facts and circumstances it is the opinion of the chief, vocational rehabilitation and education division, that the case is meritorious and that the application of the 90-day rule would be inequitable and should be waived, a statement of all pertinent facts and circumstances, together with appropriate recommendations, may be forwarded to the assistant administrator for vocational rehabilitation and education, central office. Where, subsequent to the cut-off date as defined in § 21.35. VA Form 7-1953 or 7-1909 is received in the Veterans' Administration after the 90-day period prescribed in subparagraphs (1) and (2) of this paragraph, the chief, vocational rehabilitation and education division, will submit a statement of all pertinent facts and circumstances in the individual case to the assistant administrator for vocational rehabilitation and education for consideration of waiver of the 90-day rule. If the 90-day rule is waived, the date of receipt of claim for education or training and/or subsistence allowance by the institution, or the date of entrance or reentrance into training as certified by the institution will be accepted by the Veterans' Administration, if otherwise in order.

2. In § 21.133, paragraphs (a), (b) (1), (c), (d), and (e) are amended to read as follows:

§ 21.133 Rates of subsistence allowance-(a) \$75, \$105, or \$120 per monthfull-time institutional training. On or after April 1, 1948, the monthly amount of subsistence allowance payable to the veteran enrolled under Part VII, Veterans' Regulation 1 (a), as amended (38 U. S. C. ch. 12), in a course of institutional training, as defined in § 21.58 (a), will be the normal rate of \$75, \$105, or \$120 per month, or more if necessary, to bring the sum of subsistence allowance and disability pension or disability compensation (including special statutory allowances) to the amount established as a minimum by the provisions of Public Law 338, 80th Congress. (Rates in effect prior to April 1, 1948, were \$65 per month for a veteran without a dependent or \$90 per month if he has a dependent or dependents.)

(b) \$65 or \$90 per month (1) The monthly amount of subsistence allowance payable to the veteran enrolled in courses of apprentice or other on-the-job training, institutional on-farm training, and combination or cooperative courses requiring less than the normal full-time classroom instruction, will be

the normal rate of \$65 or \$90 monthly, or more if necessary, to bring the sum of subsistence allowance and disability pension or disability compensation (including special statutory allowances) to the amount established as a minimum by the provisions of Public Law 338, 80th Congress. On or after April 1, 1948, for a veteran who pursues a part of his course in an educational institution, the extent of such training will be determined in accordance with the criteria set out in § 21.104 (a), and subsistence allowance in addition to the basic rates of \$65 and \$90 will be payable to the extent of the appropriate fractional part (34. 1/2. 1/4) of the difference between the basic rates of \$65 or \$90 and \$75, \$105, or \$120, whichever is applicable.

(c) Disability compensation 70nounced or not applied for. Where a veteran is found eligible for vocational rehabilitation under Part VII on a memorandum rating, or renounces his right to disability compensation before or after entrance into training, he will receive only the amount of subsistence allowance authorized by paragraph 6, Part VIII, Veterans' Regulation 1 (a), as amended, except that veterans receiving retirement or retainer pay who report that the combined amount of retirement or retainer pay and subsistence allowance is less than the minimum rates provided in paragraph 3. Part VII, Veterans' Regulation 1 (a), as amended, may receive the greater amounts of subsistence allowance upon receipt of a report from the service department showing the amount of the retirement or retainer pay.

(d) Reduction to zero of disability compensation. Where the disability rating of a veteran pursuing a course under Part VII is reduced to zero, he is entitled to the minimum payment provided for veterans with disabilities rated less than 30 percent in the first proviso of paragraph 3, Part VII, Veterans' Regu-

lation 1 (a), as amended.

(e) Disability compensation suspended for failure to report-for physical examination. When the disability compensation of a veteran pursuing a course under Part VII is suspended for failure to report for a physical examination, he can receive only the rate of subsistence allowance authorized by paragraph 6 of Part VIII of Veterans' Regulation 1 (a), as amended, so long as he persists in his refusal to report for physical examination.

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 8, sec. 2, 57 Stat. 43, as amended, sec. 400, 58 Stat. 287, as amended; 38 U. S. C. 11a, 701, 707, ch. 12 note. Interprets or applies secs. 3, 4, 57 Stat. 43, as amended, secs. 300, 1500-1504, 1506, 1507, 58 Stat. 286, 300, as amended; 38 U. S. C. 693g, 697-697d, 697f, g, ch. 12 note)

This regulation effective September 18, 1952.

[SEAL] H. V. STIRLING,
Deputy Administrator.

[P. R. Doc. 52-10193; Filed, Sept. 17, 1952; 8:57 a, m.]

# PROPOSED RULE MAKING

# DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs I 25 CFR Part 130 I

OPERATION AND MAINTENANCE CHARGES FORT HALL INDIAN IRRIGATION PROJECT, IDAHO

SEPTEMBER 10, 1952.

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (60 Stat. 238; 5 U. S. C. 1001) and authority contained in the acts of Congress approved August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387) and by virtue of authority delegated by the Secretary to the Commissioner of Indian Affairs by Order No. 2508 approved January 11, 1949 (14 F. R. 259) and by virtue of authority delegated by the Commissioner of Indian Affairs to the Area Director

by Order No. 551, Amendment No. 1, approved June 5, 1951 (16 F. R. 5457), notice is hereby given of intention to modify § 130.32 (a) of Title 25, Code of Federal Regulations, dealing with the operation and maintenance charges on assessable lands under the Fort Hall Indian Irrigation Project, Fort Hall Indian Reservation, Idaho, as follows:

By decreasing the annual basic water charges for the operation and maintenance of the lands in non-Indian ownership for which water can be delivered for irrigation from \$3.50 to \$3.25 per

The foregoing proposed charge is to become effective for the irrigation season 1953 and to continue in effect thereafter until further notice,

Section 130.32 (a) as amended will, therefore, read as follows:

§ 130.32 Basic and other water charges. (a) In compliance with the provisions of the act of March 1, 1907 (34 Stat. 1024) the annual basic water charges for the operation and maintenance of the lands in non-Indian ownership to which water can be delivered for irrigation under the Fort Hall Indian Irrigation Project, Idaho, are hereby fixed at \$3.25 per acré for the calendar year 1953 and subsequent years until further notice.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or argument in writing to E. Morgan Pryse, Area Director, Bureau of Indian Affairs, Building 1, Swan Island, Portland 18, Oregon, within 30 days from the date of publication of this notice of intention in the daily issue of the Federal Register,

E. Morgan Pryse, Area Director,

[F. R. Doc. 52-10142; Filed, Sept. 17, 1952; 8:45 a. m.]

# NOTICES

# DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of the Public Debt

[1952 Dept. Circ. 913]

21/8 PERCENT TREASURY NOTES OF SERIES A-1953

OFFERING OF NOTES

SEPTEMBER 15, 1952.

I. Offering of notes. 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for notes of the United States, designated 2½ percent Treasury Notes of Series A-1953, in exchange for Treasury Certificates of Indebtedness of Series E-1952, maturing October 1, 1952.

II. Description of notes. 1. The notes will be dated October 1, 1952, and will bear interest from that date at the rate of  $2\frac{1}{16}$  percent per annum, payable on a semiannual basis on June 1 and December 1, 1953. They will mature December 1, 1953, and will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all taxes now or hereafter imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes with interest coupons attached will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000, and \$1,000,000. The notes will not be issued in registered form.

The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. Subscription and allotment. 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of notes applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. Payment. 1. Payment at par for

IV. Payment. 1. Payment at par for notes allotted hereunder must be made on or before October 1, 1952, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series E-1952, maturing October 1, 1952, which will be accepted at par, and should accompany the subscription. The full amount of interest due on the certificates surrendered will be paid to the subscriber following acceptance of the certificates.

V. General provisions. 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested

to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on fullpaid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] E. H. FOLEY, Acting Secretary of the Treasury. [F. R. Doc. 52-10191; Filed, Sept. 17, 1952; 8:57 a. m.]

# DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF FILING OF PLAT OF SURVEY

SEPTEMBER 11, 1952.

Notice is given that the plat of original survey of the following described lands, accepted May 13, 1952, will be officially filed in the Land Office, Anchorage, Alaska, effective at 10:00 a.m. on the 35th day after the date of this notice:

U. S. SURVEY No. 3100

Spruce Cape Small Tract Group embracing Lots 1 to 21, inclusive, the area containing 34.35 acres, latitude 57°48'13" N., longitude 152°21'30" W., at Corner No. 1

The lands are included in the withdrawal made by Executive Order No. 8344, of February 10, 1940, temporarily withdrawing the lands from settlement, location, sale or entry, for classification and in aid of legislation.

Anyone having a settlement or other right to any of these lands initiated prior to the date of the withdrawal of the lands should assert the same within three months from the date on which the plat is officially filed by filing application under the appropriate public land law, setting forth all facts relative thereto.

VIRGIL O. SEISER, Manager.

[F. R. Doc. 52-10144; Filed, Sept. 17, 1952; 8:46 a. m.]

#### ALASKA

SMALL TRACT CLASSIFICATION NO. 64

SEPTEMBER 11, 1952.

Pursuant to the authority delegated to me by the Director, Bureau of Land Management, under section 2.21 of Order No. 427 approved by the Secretary of the Interior August 16, 1950 (15 F. R. 5641), I hereby classify as hereinafter indicated under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U. S. C. sec. 682a), as amended, the following described public lands in the Anchorage, Alaska, Land District embracing approximately 51.22 acres:

FOR LEASING AND SALE

FOR CABIN SITES

Seward Meridian

T. 17 N., R. 4 W., Sec. 35; Lots 37, 38.

The land above described is included in the homestead entry of Gordon L. Kukowski, Anchorage 022372.

This order shall not become effective to change the status of such land or to permit the leasing thereof under the Small Tract Act of June 1, 1938, cited above, except upon the failure of the homestead entry Anchorage 022372 mentioned above. In the event of the failure of said entry, the land will then become available for filings under the Small Tract Act, after due notice to be given by publication, subject to the preference right of veterans of World War II, accorded by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. sec. 279), and other qualified persons entitled to credit for service under the said act.

LOWELL M. PUCKETT, Regional Administrator.

[F. R. Doc. 52-10145; Filed, Sept. 17, 1952; 8:46 a. m.]

[Misc. 56089]

CERTAIN STATES

REVOKING CERTAIN WITHDRAWALS FOR FOR-EST ADMINISTRATIVE SITES OR FOR PRO-POSED NATIONAL MONUMENT

SEPTEMBER 12, 1952.

Pursuant to requests of the Department of Agriculture and in accordance with Departmental Order No. 2583 section 2.22 (a) of August 16, 1950 (15 F. R. 5643), it is ordered as follows:

1. The departmental orders hereinafter listed, withdrawing certain lands within national forests for use by the Forest Service, Department of Agriculture, as administrative sites, are hereby revoked so far as they affect the following-described public lands:

Date of Order, Administrative Site, and Lands

#### ARIZONA

#### GILA AND BALT RIVER MERIDIAN

September 23, 1907; Allen Lake Ranger Station; T. 24 N., R. 3 E., sec. 9, SE1/4, containing 160 acres.

October 26, 1906, as amended April 14, 1920; Ranger Station No. 7 (Maine Administrative Site); T. 22 N., R. 4 E., sec. 28, N½NE½SE½NE½, W½SE½NE¾, N½NE¾, SW¼NE¾, and NW¾, containing 305 acres.

April 15, 1908, Moqui Administrative Site; T. 28 N., R. 5 E., sec. 29, W½ NE¾, E½ NW¼, and E½ W½ NW¼, containing 200 acres.

The above-described lands are within the Kaibab National Forest.

September 23, 1907, as amended April 5, 1913, and October 14, 1919; Munds Park Ranger Station; T. 18 N., R. 7 E., sec. 17, lots 1, 3, and 6, and parts of lots 2, 4, and 5, containing 165.10 acres.

The above-described land is within the Coconino National Forest.

#### CALIFORNIA

#### SAN BERNARDING MERIDIAN

October 3, 1908; Mendenhall Valley Administrative Site; T. 10 S., R. 1 E., sec. 1, SE1/4 SW1/4, containing 40 acres.

The above-described land is within the Cleveland National Forest, and reserved from location or entry under the mining laws by the act of May 31, 1938 (52 Stat. 587).

#### COLORADO

#### SIXTH PRINCIPAL MERIDIAN

The above-described land is within the Roosevelt National Forest and reserved as a part of the Rollinsville Ranger Station by Public Land Order No. 725 of June 4, 1951.

#### MONTANA

#### PRINCIPAL MERIDIAN

November 5, 1907; Fleecer Administrative Site; T. 1 N., R. 9 W., sec. 8, S½NE¼, containing 80 acres.

The above-described land is within the Deerlodge National Forest and reserved as a part of the Fleecer Administrative Site by Public Land Order No. 725 of June 4, 1951,

#### UTAH

#### SAUT LAKE MERIDIAN

July 17, 1908; Verdure Ranger Station; T. 34 S., R. 23 E., sec. 27, S½SE½; sec. 34, N½NE½, containing 160 acres.

The above-described land is within the Manti-La Sal National Forest.

2. The order of the Acting Commissioner of the General Land Office approved by the Acting Secretary of the Interior on July 16, 1907, which withdrew the following-described lands in New Mexico, upon the recommendation of the Acting Secretary of Agriculture, for the proposed Lady Magdalena National Monument, is hereby revoked:

NEW MEXICO PRINCIPAL MERIDIAN

T. 2 S., R. 4 W., Sec. 34, SW4NE4, SE4NW4, E4SW4, and W4SE4.

The areas described, aggregating 240 acres of public land, are within the Cibola National Forest. The SW ¼NE¼, SE ¼NW ¼, NE¼SW ¼, and NW ¼SE¼ are reserved as a part of the Magdalena Ranger Station Pasture by Public Land Order No. 725 of June 4, 1951.

This order shall become effective at 10:00 a.m. on the 35th day after the date hereof.

WILLIAM ZIMMERMAN, Jr., Acting Director.

[F. R. Doc. 52-10146; Filed, Sept. 17, 1952; 8:46 a. m.]

# DEPARTMENT OF COMMERCE

# Office of International Trade

[Case No. 135]

BRITISH MERCANTILE CO., LTD., ET AL.

ORDER DENYING LICENSE PRIVILEGES

In the matter of British Mercantile Co., Ltd., Melvin C. Lubar, Mary Andre Gonzalez Lubar, 640 Riverside Drive, New York, New York; David M. Silverberg, 880 West 180th Street, New York, New York; Brelan Material Corp., 38 Rock Street; Jersey City, New Jersey; Davern Sales Corp., 1472 Broadway, New York, New York; respondents; Case No. 135.

This proceeding was instituted on April 24, 1952, by a charging letter issued by the Director, Investigation Staff, Office of International Trade, to the respondents named above and duly served upon them. Said respondents were therein charged with having violated the Export Control Act of 1949 (63 Stat. 7) as amended, and the regulations thereunder, as amended, in that said respondents made and caused to be made false representations and statements on thirty-six (36) separate shipper's export declarations and related bills of lading for the purpose of effecting the exportation of large quantities of materials from the United States to diverse consignees in various citles in India between February 28 and April 16, 1951. The letter charged that respondents knew and intended at the time such representations were made on such export control documents that the commodity in each instance was not virgin polystyrene and polystyrene powder as stated thereon but ground and scrap plastics.

The charging letter further alleged that in connection with certain of the aforesaid exportations, and based thereon, the Grand Jury for the United States District Court, Southern District of New York, on August 9, 1951, issued a nineteen (19)-count indictment charging these respondents with having made false representations affecting said exportations and with having otherwise

violated specific Federal statutes relating to export control. It was further alleged in said charging letter that on November 7, 1951, respondents Melvin C. Lubar, Mary Andre Gonzalez Lubar (hereinafter referred to as Mary Lubar), and British Mercantile Co., Ltd., pleaded guilty to all nineteen (19) counts of said indictment and that sentences were imposed by the Court on November 16, 1951, and December 14, 1951.

The records of the United States District Court for the Southern District of New York show that respondent Melvin C. Lubar was sentenced to five (5) years' imprisonment and respondent Mary Lubar to two (2) years' imprisonment and in each case imposition of sentence was suspended and respondents placed on probation; respondent British Mercantile Co., Ltd., was fined and payment of fine remitted. These respondents were directed by the Court to make restitution, and did make partial restitution to the Indian consignees defrauded by the transactions. As a further condition of probation, respondent Mary Lubar was ordered by the Court to stay out of the export business.

Respondent David M. Silverberg, individually and as an officer of Brelan Material Corp. and Davern Sales Corp., pleaded "not guilty" to the charges contained in the indictment and is presently free on bail and is awaiting trial.

Respondents Melvin C. Lubar, Mary Lubar, and British Mercantile Co., Ltd., after receiving the charging letter as aforesaid, conferred through their counsel and in person with officials of the Office of International Trade and with the Compliance Commissioner. There-after, respondents submitted to the Office of International Trade with the advice of and through counsel a statement dated June 11, 1952, amended August 14, 1952, in which they admitted for the purpose of this compliance proceeding only the charges in said charging letter, waived all rights to a hearing thereon, and consented to the entry of an order denying to them all export privileges until December 15, 1953, and suspending the operation of the order for a period of three (3) years thereafter under terms set forth below.

Respondents David M. Silverberg, Brelan Material Corp., and Davern Sales Corp. did not answer or otherwise contest the charges made against them in said charging letter and, in accordance with the provisions of § 382.4 of the regulations, the evidence against said respondents was presented to the Compliance Commissioner at a regularly scheduled hearing held before him at Washington, D. C., on August 6, 1952. Said respondents did not appear at the hearing and were not represented by

counsel

The Compliance Commissioner has received and reviewed the aforesaid proposal, as amended, for a consent order submitted by respondents Melvin C. Lubar, Mary Lubar, and British Mercantile Co., Ltd., and has informally reviewed the evidence presented by the Investigation Staff in support of the charges against them. The Compliance Com-missioner has submitted a report in which he has found that the charges ap-

plicable to respondents Melvin C. Lubar, Mary Lubar, and British Mercantile Co., Ltd., are substantiated by the evidence and has concluded that the terms and conditions of the proposed order as consented to by respondents are fair and reasonable and should be approved. He has also reviewed and considered the oral and documentary evidence presented by counsel for the Investigation Staff in support of the charges against respondents David M. Silverberg, Brelan Material Corp., and Davern Sales Corp. On the basis thereof, on the evidence so received, and on the entire record, the Compliance Commissioner has duly filed his report.

It appears from the Compliance Commissioner's reports that respondents Melvin C. and Mary Lubar at all the times relevant to this proceeding were, and are, the principals of respondent British Mercantile Co., Ltd., a domestic corporation engaged in exports. In December 1950, said respondents circularized prospective purchasers in India offering large quantities of virgin polystyrene, Monsanto grade, in various colors. On the basis of this circularization, British Mercantile Co., Ltd., received orders for this commodity from twenty-nine (29) different Indian consignees and letters of credit for \$147,530.60 in payment therefor. Because virgin polystyrene was no longer available on the market when such orders arrived, these respondents contrived to defraud the Indian consignees by exporting alleged substitutes in place of polystyrene. In order to avoid possible civil action by the consignees, the Lubars got David M. Silverberg, a friend of Melvin C. Lubar, to form Brelan Material Corp. and Davern Sales Corp. for the ostensible purpose of "selling" the material to British Mercantile Co., Ltd., to be exported to India. It was to appear that British Mercantile Co., Ltd., had legitimately purchased polystyrene from Brelan Material Corp. and Davern Sales Corp., thereby making it appear that British Mercantile Co., Ltd., was blameless and that the fraudulent substitution was chargeable to Brelan Material Corp. and Davern Sales Corp. Although these corporations were duly constituted corporations formed under the laws of New Jersey and New York, respectively, they had no substance, were mere names used by respondents to camouflage their real purposes, and were mere "mail drops" in selected locations. Purchases of ground plexiglas, lucite and other scrap materials were made from various dealers in the names of Brelan Material Corp. and Davern Sales Corp. by Mary Lubar and David M. Silverberg. and, in addition, Mary Lubar purchased from a dealer in New York City an alleged substitute for polystyrene which turned out to be ground phonograph records and other worthless trash. Payments to such dealers for the commodities so acquired were made by checks signed by David M. Silverberg as an officer of Brelan Material Corp. and/or Davern Sales Corp., which thereupon "sold" the materials to British Mercantile Co., Ltd., and the materials were exported by these respondents to the Indian consignees in five (5) separate

shipments and on five (5) different ves-

sels between February 28 and April 16. 1951. Respondents made and caused to be made false representations and statements on each of the thirty-six (36) shipper's export declarations authenticated by the Collector of Customs and on each of the related bills of lading effecting such exportations that the materials so exported were polystyrene powder and virgin polystyrene, respectively.

In his reports, the Compliance Commissioner has held that David M. Silverberg was an accomplice of Melvin C. and Mary Lubar in the fraud perpetrated upon the Indian consignees and was an active participant therein, although playing a lesser role in its concept and consummation than the dominant role of the Lubars. The Compliance Commissioner has further held that respondents knowingly made and caused to be made the false representations on the shipper's export declarations and related bills of lading for the purpose of effecting the exportations from the United States and that said respondents were therefore guilty of the charges as stated in the aforesaid charging letter.

While the Compliance Commissioner has properly found, and his reports show, that these respondents knowingly committed a fraud upon the Indian purchasers and demonstrated a degree of untrustworthiness in export matters that would call for a long term denial of export privileges, he has pointed out certain extenuating factors applicable to these respondents which warrant the consideration of a lesser period of time. Among these factors are their loss of reputation and of their business by the criminal sentences imposed upon Melvin C. and Mary Lubar, and their restitution to the Indian consignees to the limit of

their capabilities.

The Compliance Commissioner has also taken cognizance that the Lubars and British Mercantile Co., Ltd., have been barred from engaging in any export operations since June 5, 1951, by the issuance of a temporary denial order against them and that David M. Silverberg, Brelan Material Corp., and Davern Sales Corp, have likewise been enjoined from export operations since August 3. 1951

With respect to respondents Melvin C. and Mary Lubar and British Mercantile Co., Ltd., the findings and recommendations of the Compliance Commissioner have been carefully considered, together with the charging letter, the evidentiary material, and the proposals for a consent order. It appears that such findings and recommendations are in accordance with the evidence and that such recommendations are reasonable and should be adopted.

With respect to respondents David M. Silverberg, Brelan Material Corp., and Davern Sales Corp., the report of the Compliance Commissioner, the findings and recommendations contained therein, as well as the record in this matter have been carefully considered and it appears that said report and findings are supported by the evidence and that such recommendations are fair and reasonable and should be adopted.

Now, therefore, it is ordered as follows: (1) Respondents Melvin C. Lubar, Mary Andre Gonzalez Lubar, British Mercantile Co., Ltd., David M. Silverberg, Brelan Material Corp., and Davern Sales Corp., and each and all of them, are hereby denied the privileges of participating directly or indirectly in any manner or capacity in the exportation of any commodity from the United States to any foreign destination, including Canada. Without limitation of the generality of the foregoing, participation in an exportation is deemed to include and prohibit the participation by said respondents, or any of them, (a) as a party or as a representative of a party to any validated export license application, (b) in the obtaining or using of validated export licenses or general licenses and any export control documents relating thereto, (c) in the receiving in any foreign country of any exportation from the United States, and (d) in the financing, forwarding, transporting, or other servicing of exports from the United States.

(2) Such denial of export privileges shall extend not only to the named respondents, and each of them, but also to M. G. Andre, Incorporated, and Boston Trading Company (two companies owned by the Lubars), and Materials Inspection Company (a Silverberg firm), and to any person, firm, corporation, or other business organization with which said respondents or any of them may be now or hereafter related by ownership, control, position of responsibility, or other connection in the conduct of trade involving exports from the United States or services connected therewith.

(3) This order shall extend until December 15, 1956, or until the expiration of export controls, whichever occurs first: Provided, however, The denial of export privileges with respect to each and all of said respondents as stated herein shall be held in abeyance and all export privileges restored to said re-spondents on and after December 15, 1953, subject to the following conditions: If said respondents or any of them shall at any time until December 15, 1953, or within the three (3) years ensuing im-mediately thereafter, knowingly violate any of the provisions of this order or any of the provisions of the United States export control law or regulations now or hereafter issued thereunder, the Office of International Trade may summarily, at such time as it determines such violation has occurred, issue a supplemental order making immediately operative as to each and all of said respondents the denial of export privileges provided in this order, for a further term of three (3) years, or until the expiration of export controls, whichever occurs first, beginning as of the date of such supplemental order, without thereby precluding the Office of International Trade from instituting any other and further action it may deem appropriate based on such violation.

(4) No person, firm, corporation, or other business organization shall knowingly apply for or obtain any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation from the United States under validated and general licenses, or otherwise, to or for the named respondents or any of them, or any person, firm, corporation, or other business organization covered by paragraph (2) hereinabove, without prior disclosure of such facts to, and specific authorization from, the Office of International Trade.

(5) This order supersedes and cancels the Office of International Trade temporary denial order of August 3, 1951, applicable to the named respondents and each of them.

cen or them.

Dated: September 12, 1952.

JOHN C. BORTON, Assistant Director for Export Supply.

[F. R. Doc. 52-10184; Filed, Sept. 17, 1952; 8:55 a. m.]

# DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended: 29 U.S.C. and Sup. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended December 31, 1951; 16 F. R. 12043, and June 2, 1952; 17 F. R. 3818).

Alabama Textile Products Corp., Crestview, Fla., effective 9-8-52 to 9-7-53; 10 percent of the productive factory force (men's pajamas).

Capitol City Manufacturing Co., 925 Huger Street, Columbia, S. C., effective 9-4-52 to 9-3-53; 10 percent of the productive factory force (cotton dresses).

force (cotton dresses).

E. R. Partridge, Inc., 1575/2 Pryor Street
SW. Atlanta, Ga., effective 9-4-52 to 12-3-52;
one learner (men's work clothing)

one learner (men's work clothing).

Prairie Manufacturing Co., 196 Washington Avenue, East Prairie, Mo., effective 9-8-52 to 9-7-53; 10 percent of the productive factory force (pants).

tory force (pants).

Primo Pants Co., Versailles, Mo., effective
9-2-52 to 3-1-53; 50 learners for expansion
purposes (men's and boys' pants).

The Puritan Sportswear Corp., 813 Twentyfifth Street, Altoona, Pa., effective 9-8-52 to 3-7-53; 40 learners for expansion purposes (men's play shirts). Shirtcraft Co., Inc., West Lurgan Street, Shippensburg, Pa., effective 9-5-52 to 9-4-53; 10 percent of the productive factory force (men's dress and sport shirts).

Glove Industry Learner Regulations (29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

Advance Glove Manufacturing Co., 1700 Maple Street, Rome, Ga., effective 9-9-52 to 9-8-53; 10 percent of the productive factory workers engaged in the learner occupations (cotton and leather paim work gloves).

Wells Lamont Corp., Elsberry, Mo., effective 9-9-52 to 9-8-53; 10 percent of the productive factory workers engaged in the learner occupations (leather work gloves).

Wells Lamont Corp., Waynesboro, Miss., effective 9-8-52 to 2-24-53; 15 learners for expansion purposes (supplemental certificate) (leather palm work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.51, as revised November 19, 1951; 16 F. R. 10733).

Ashburn Hosiery Mills, South Street, Mount Airy, N. C., effective 9-5-52 to 3-4-53; 30 learners for expansion purposes.

Commonwealth Hostery Mills, Randleman, N. C., effective 9-15-52 to 9-14-53; 5 percent of the productive factory force.

Hamilton Hoslery Finishers, Inc., 315 Morning Glory Avenue, Durham, N. C., effective 9-9-52 to 9-8-53; 5 percent of the productive factory force.

Hoburt Hosiery Corp., Denton, N. C., effective 9-5-52 to 9-4-53; five learners.

Hoiston Manufacturing Co., Ninth Avenue and Mitchell Street, Knoxville, Tenn., effective 9-5-52 to 3-4-53; 15 learners for expangion purposes.

Industrial Hosiery Mills, Inc., 424 Guilford Street, Lebanon, Pa., effective 9-5-52 to 9-4-53; five learners.

Liberty Hoslery Mills, Inc., Gibsonville, N. C., effective 9-21-52 to 9-20-53; 5 percent of the productive factory force.

Wee-Sox Hosiery Mills, Inc., Randleman, N. C., effective 9-24-52 to 9-23-53; 5 percent of the productive factory force.

Independent Telephone Industry Learner Regulations (29 CFR 522.82 to 522.93, as amended January 25, 1950; 15 F. R. 398).

Union Grove Telephone Co., Union Grove, Wis., effective 9-8-52 to 9-7-53.

Knitted Wear Industry Learner Regulations, (29 CFR 522.68 to 522.79, as amended January 21, 1952; 16 F. R. 12866).

Seamprufe, Inc., Holdenville, Okla., effective 9-6-52 to 3-5-53; 75 learners for expansion purposes (slips and nightgowns).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Palm Beach Co., 522 West Baxter Avenue, Knoxville, Tenn., effective 9-5-52 to 9-4-53; 7 percent of the productive factory force; machine operating, pressing, handsewing; each 480 hours; 60 cents per hour for the first 240 hours and 65 cents per hour for the remaining 240 hours (men's summer clothing, coats and pants).

The following special learner certificates were issued to the school-operated industries listed below:

Adelphian Academy, Holly, Mich., effective 9-1-52 to 8-31-53; woodwork shop—machine operator, assembler and related skilled and semiskilled occupations including incidental clerical work in the shop; 40 learners; 250 hours at 55 cents per hour, 250 hours at 60 cents per hour, 250 hours at 70 cents per hour.

Atlantic Union College, South Lancaster, Mass., effective 9-1-52 to 8-31-53; print shop—compositor, pressman, bindery worker and related skilled and semiskilled occupations; 28 learners; 350 hours at 55 cents per hour, 325 hours at 60 cents per hour, 325 hours at 70 cents per hour; bookbindery—bookbinder, bindery worker and related skilled and semiskilled occupations; 32 learners; 200 hours at 55 cents per hour, 200 hours at 60 cents per hour, 200 hours at 70 cents per hour; clerical—bookkeeper, cashler and related skilled and semiskilled occupations; 2 learners; 200 hours at 55 cents per hour, 200 hours at 60 cents per hour, 200 hours at 60 cents per hour, 200 hours at

70 cents per hour.

Pacific Union College, Angwin, Napa County, Calif., effective 9-1-52 to 8-31-53; print shop—pressman, compositor, lithographer, bindery worker, related skilled and semiskilled occupations including clerical work in the shop; 12 learners; 350 hours at 55 cents per hour, 325 hours at 60 cents per hour, 325 hours at 70 cents per hour, unless higher standards are established by State law; bookbindery—bookbinder, including sewer, gold stamper, trimmer and backer, cutter, case-maker and related skilled and semiskilled occupations; 8 learners; 200 hours at 55 cents per hour, 200 hours at 60 cents per hour, 200 hours at 70 cents per hour, unless higher standards are established by State law; lamp shade shop—covering frame with fabric (hand skill) and related skilled and semiskilled occupations including incidental clerical work in shop; 12 learners; 100 hours at 55 cents per hour, 50 hours at 60 cents per hour, 50 hours at 70 cents per hour, unless higher standards are established by State law.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 9th day of September 1952.

MILTON BROOKE, Authorized Representative of the Administrator.

[F. R. Doc. 52-10149; Filed, Sept. 17, 1952; 8:47 a. m.]

# CIVIL AERONAUTICS BOARD

[Docket No. 4902 et al.]

CONSOLIDATED FLOWER SHIPMENTS, INC., ET AL.

NOTICE OF ORAL ARGUMENT

Consolidated Flower Shipments, Inc., Bay Area; John Barulich and William Zappettini; Docket No. 4902 et al.

In the matter of the investigation of the activities and practices of Consolidated Flower Shipments, Inc., Bay Area, and others.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that oral argument in the above-entitled proceeding is assigned to be held on October 7, 1952, at

10:00 a.m., e. s. t., in Room 5042, Commerce Building, Constitution Avenue, between Fourteenth and Fifteenth Streets NW., Washington, D. C., before the Board.

Dated at Washington, D. C., September 15, 1952.

[SEAL]

FRANCIS W. BROWN, Chief Examiner.

[F. R. Doc. 52-10186; Filed, Sept. 17, 1952; 8:55 a. m.]

# FEDERAL POWER COMMISSION

[Docket No. E-6446]

GLACIER COUNTY ELECTRIC COOPERATIVE, INC., AND MARIAS RIVER ELECTRIC CO-OPERATIVE, INC.

NOTICE OF APPLICATION FOR AUTHORIZATION TO EXPORT ELECTRIC ENERGY

SEPTEMBER 11, 1952.

Notice is hereby given that pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U. S. C. 824a), Glacier County Electric Cooperative, Inc., a rural electric cooperative operating in Glacier County, Montana, on July 28, 1952, filed with the Federal Power Commission an application, for authorization by the Commission to transmit electric energy to Canada, to serve the office buildings and residences of National Revenue, Customs and Excise Division, Canadian Government at Carway and Del Bonita, Alberta, Canada, from points on the international boundary between the United States and Canada, in Glacier County, Montana, opposite thereto in quantities not in excess of 84,000 kilowatt hours at a rate of 25 kilowatts and 36,000 kilowatt hours at a rate of 15 kilowatts annually, respectively.

On September 8, 1952, Marias River Electric Cooperative, Inc., from which Glacier County Electric Cooperative, Inc., purchases the electric energy proposed to be transmitted to Canada filed its joinder in the application heretofore filed July 28, 1952.

Any person desiring to be heard or to make any protest with reference to the application should, on or before October 1, 1952, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10158; Filed, Sept. 17, 1952; 8:50 a. m.]

[Docket No. G-17571

NATURAL GAS STORAGE CO. OF ILLINOIS

NOTICE OF OPINION NO. 236 AND ORDER ISSU-ING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

SEPTEMBER 12, 1952.

Notice is hereby given that on September 11, 1952, the Federal Power Commission issued its opinion and order entered

September 9, 1952, issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10154; Filed, Sept. 17, 1952; 8:49 a. m.]

[Docket No. E-6448]

CALIFORNIA ELECTRIC POWER CO.

NOTICE OF SUPPLEMENTAL ORDER APPROV-ING PROPOSED METHOD OF COMPLYING WITH COMPETITIVE EIDDING REQUIRE-MENTS

SEPTEMBER 12, 1952.

Notice is hereby given that on September 11, 1952, the Federal Power Commission issued its order entered September 11, 1952, approving proposed method of complying with competitive bidding requirements in the above-entitled matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10153; Filed, Sept. 17, 1952; 8:49 a. m.]

> [Docket No. G-1781] United Fuel Gas Co.

ORDER FIXING DATE OF HEARING AND SPECIFYING PROCEDURE

SEPTEMBER 11, 1952.

The Commission, by order issued September 4, 1951, suspended the operation of United Fuel Gas Company's proposed FPC Gas Tariff, Second Revised Volume No. 1; and directed that a hearing be held at a date and place to be fixed thereafter concerning the lawfulness of the rates, charges, classifications or services, subject to the jurisdiction of the Commission, as set forth in said tariff.

The Commission finds:

 The public hearing in this proceeding should be held at the time and place hereinafter designated.

(2) It is necessary and appropriate to carry out the provisions of the Natural Gas Act, and it is in the public interest, that the procedure hereinafter prescribed shall be followed at the hearing in order to conduct this proceeding with reasonable dispatch.

The Commission orders:

(A) A public hearing be held commencing on September 29, 1952, at 10:00 a. m. in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., concerning the lawfulness of the rates, charges, classifications or services, subject to the jurisdiction of the Commission, as set forth in United Fuel's proposed FPC Gas Tariff, Second Revised Volume No. 1.

(B) At the hearing the burden of proof to justify the proposed increase and changes in tariff provisions, as provided by section 4 (e) of the Natural Gas Act, shall be upon United Fuel.

(C) At the hearing United Fuel shall go forward first and shall present its complete case-in-chief before cross-examination is undertaken. Upon completion of United Fuel's case-in-chief, other parties to the proceeding may proceed with such cross-examination as they may wish to conduct at that time and, upon completion of such cross-examination, upon request of any of the parties thereto, the hearing shall be recessed by the Presiding Examiner subject to further order of the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and

procedure.

Date of issuance: September 12, 1952, By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

(P. R. Doc. 52-10165; Filed, Sept. 17, 1952; 8: 52 a. m.]

[Docket Nos. G-1948, G-2001]

EAST TENNESSEE NATURAL GAS CO. AND PHILADELPHIA ELECTRIC CO.

NOTICE OF FINDINGS AND ORDERS

SEPTEMBER 12, 1952.

In the matters of East Tennessee Natural Gas Company, Docket No. G-1948; Philadelphia Electric Company, Docket No. G-2001.

Notice is hereby given that on September 11, 1952, the Federal Power Commission issued its orders entered September 9, 1952, issuing certificates of public convenience and necessity in the aboveentitled matters.

[SEAL]

LEON M. FUQUAY. Secretary.

[F. R. Doc. 52-10155; Filed, Sept. 17, 1952; 8:49 a. m.)

[Docket No. G-1955]

TRANSCONTINENTAL GAS PIPE LINE CORP. AND TEXAS EASTERN TRANSMISSION CORP.

ORDER DENYING REQUEST FOR SHORTENED PROCEDURE AND FIXING DATE OF HEARING

SEPTEMBER 9, 1952.

On May 9, 1952, Transcontinental Gas Pipe Line Corporation (Transcontinental) and Texas Eastern Transmission Corporation (Texas Eastern), Delaware corporations having principal business offices in Houston, Texas, and Shreveport, Louisiana, respectively, filed a joint application for a certificate of public convenience and necessity, pursuant to section 7 of the National Gas Act, authorizing the construction and operation of metering facilities and the necessary pipe to interconnect the 20-inch Marcus-Hook lateral of Transcontinental and the 20-inch South lateral of Texas Eastern near Philadelphia, Pennsylvania. Such facilities will be utilized for the delivery of natural gas to Texas Eastern, which company in turn will deliver equivalent volumes of natural gas to the East Ohio Gas Company, New York State Natural Gas Corporation, the Peoples Natural Gas Company, United Natural Gas Company and the Indiana Gas & Water Company.

Temporary authorization to construct and operate the above facilities for the delivery and sale of natural gas to the above-named companies was granted on May 15, 1952. On the same date the Commission adopted an order allowing certain rate schedules to take effect relating to said sales,

Due notice of the filing of such application was given, including publication in the FEDERAL REGISTER on May 23, 1952

(17 F. R. 4728)

Transcontinental and Texas Eastern have requested that their joint application be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b))

The Commission finds:

(1) Good cause has not been shown for granting the request of Transcontinental and Texas Eastern that their application be heard under the shortened procedure as provided by the Commission's rules of practice and procedure, and said request should be denied as hereinafter ordered.

(2) It is reasonable and in the public interest and good cause exists for fixing the date of hearing in the proceeding in Docket No. G-1955 less than 15 days after publication of this order in the

FEDERAL REGISTER.

The Commission orders:

(A) The request of Transcontinental and Texas Eastern that their joint application in Docket No. G-1955 be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) be and the same is hereby denied.

(B) Pursuant to authority contained in and by virtue of the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a public hearing be held commencing on September 23, 1952, at 10:00 a.m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., concerning the matters involved and the issues presented by the application.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and

Date of issuance: September 11, 1952. By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10151; Filed, Sept. 17, 1952; 8:49 a. m.]

[Docket No. G-1962]

EL PASO NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

SEPTEMBER 9, 1952.

On May 27, 1952, El Paso Natural Gas Company (Applicant), a Delaware corporation having its principal place of business at El Paso, Texas, filed an application and, on July 9, 1952, a supplement to that application, for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas transmission facilities, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard. protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on June 11, 1952 (17 F. R. 5333).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on September 23, 1952, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pensylvania Avenue, NW., Washington. D. C., concerning the matters involved and the issues presented by such application as supplemented: Provided, however, That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by \$\$ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: September 11, 1952. By the Commission.

[SEAL]

LEON M. FUQUAY. Secretary.

[F. R. Doc. 52-10152; Filed, Sept. 17, 1912; 8:49 a. m.l

[Docket No. G-2021]

PUBLIC SERVICE ELECTRIC AND GAS CO. ORDER FIXING DATE OF HEARING

SEPTEMBER 11, 1952.

On August 1, 1952, Public Service Electric and Gas Company (Applicant), a New Jersey corporation having its principal place of business at Newark, New Jersey, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas transmission facilities, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition to intervene having been filed subsequent to the giving of due notice of the filing of the application, including publication in the Federal Register on August 15, 1952 (17 F. R. 7440).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on September 30, 1952, at 9:45 a. m., e. d. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., concerning the matters involved and the issues presented by such application: Provided, however, That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.5 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: September 11, 1952. By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10150; Filed, Sept. 17, 1952; 8:48 a. m.]

[Docket No. G-2032]
Texas Gas Transmission Corp.
NOTICE OF APPLICATION

SEFTEMBER 11, 1952.

Take notice that Texas Gas Transmission Corporation (Applicant), a Delaware corporation having its principal place of business at 416 West Third Street, Owensboro, Kentucky, filed on August 18, 1952, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of 21 miles of 65%-inch pipeline looping certain of Applicant's existing pipeline facilities as hereinafter described.

Applicant proposes to construct and operate (1) a 6%-inch pipeline, 13.5 miles in length, including a river crossing under the Wabash River approximately 800 feet in length, extending from Applicant's Oaktown, Indiana, compressor station to a point approximately 3 miles from Robinson, Illinois, and adjacent to Applicant's existing 4-inch pipeline; and (2) a 6%-inch pipeline, 7.5 miles in length, starting from a point near Lawrenceville, Illinois, and extending in a northeasterly direction toward Applicant's Oaktown, Indiana, compressor station, and adjacent to Applicant's existing 4-inch pipeline. Applicant's existing 4-inch pipeline.

plicant estimates the cost of the facilities at \$424,475, and proposes to accomplish the financing out of funds on hand.

Applicant states that this application was filed in compliance with the condition contained in subparagraph (B) (6) of the order issued July 25, 1952, in Docket No. G-1847, and accompanying Commission Opinion No. 232, which required that Applicant obtain authority for loop lines to Robinson and Lawrenceville, Illinois, in order to transport the maximum volumes of natural gas specified in subparagraph (B) (1) of said order.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 1st day of October 1952. The application is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc, 52-10159; Filed, Sept. 17, 1952; 8:51 a. m.]

> [Docket No. G-2038] CITIES SERVICE GAS CO. NOTICE OF APPLICATION

> > SEPTEMBER 11, 1952.

Take notice that on September 2, 1952, Cities Service Gas Company (Applicant), a Delaware corporation with its principal place of business in Oklahoma City, Oklahoma, filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicant to construct and operate the following described gas facilities:

1. Three 1,600 hp. compressor units at Applicant's existing Greensburg Compressor Station located in Section 23, Township 27 Station located in Section 23, Township 27 Kansas.

 Six 1,100 hp. compressor units at a compressor station in Section 8, Township 22 South, Range 1 West, Harvey County, Kansas, to be known as Applicant's Hesston Compressor Station.

The application recites that the addition of three 1,600 hp. units will (a) increase the capacity of Applicant's 26-inch line from the Kansas-Hugeton gas field to Kansas City, Missouri, by 56,000 Mcf daily, (b) and the construction and operation of six 1,100 hp. compressor units at the proposed Hesston Compressor Station is required to complete the capacity increase of Applicant's 26inch line from Kansas-Hugeton gas field to Kansas City, Missouri and make available the increased quantities of gas referred to above. Applicant states the increased supply of gas is needed to meet additional peak-day requirements, and that with the proposed facilities, curtailments on its system would be reduced to 585,332 Mcf, enabling all firm de-mands, and 15,176 Mcf of curtailable industrial demand to be served.

The estimated over-all capital cost of the proposed facilities is \$2,781,000 and will be defrayed from funds available under an existing credit agreement negotiated in April 1952. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10) on or before the 1st day of October 1952. The application is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10160; Filed, Sept. 17, 1952; 8:51 a. m.]

[Docket No. G-2051] HOPE NATURAL GAS CO.

ORDER SUSPENDING PROPOSED RATE SCHED-ULES AND PROVIDING FOR HEARING

SEPTEMBER 11, 1952.

On August 15, 1952, Hope Natural Gas Company (Hope), pursuant to Part 154 of the Commission's general rules and regulations, filed with the Commission proposed Sixth Revised Sheet No. 3. Fourth Revised Sheet No. 3-A, Fifth Revised Sheet No. 4. Fourth Revised Sheet No. 5, respectively, to its FPC Gas Tariff, Original Volume No. 1, setting forth therein its proposed Rate Schedules H-1A, H-1B, H-2A, H-2B and H-3, respectively; and requested that such proposed rate schedules be permitted to become effective as of September 15, 1952.

The proposed rate schedules would increase the presently effective rates and charges to Hope's six interstate wholesale customers; namely, the Manufacturers Light and Heat Company (Manufacturers), Mount Morris Gas Company (Mount Morris), the Peoples Natural Gas Company (Peoples), the East Ohio Gas Company (East Ohio), New York State Natural Gas Corporation (New York Natural), and the River Gas Company (River Gas).

Copies of the proposed rate schedules, together with copies of material submitted by Hope to this Commission pursuant to § 154.63 of the Commission's general rules and regulations (18 CFR 154.63), were transmitted by Hope to each of its said interstate wholesale customers. Peoples, East Ohio, New York Natural and River Gas are affiliates of Hope in the Consolidated Natural Gas Company system.

According to Hope's estimatees, the proposed rate schedules would increase the presently effective rates and charges for the interstate sales by a total of \$2,334,497 for the year ending September 14, 1953, distributed as follows:

Customer:	Increase
Manufacturers	8149, 998
Mount Morris	619
Peoples	431, 244
East Ohio	1, 197, 846
New York Natural	519, 612
River Gas	35, 178
and the same of th	-

Hope avers that the proposed increased rates are necessitated by reason of a proposed rate increase of Tennessee Gas Transmission Company, which supplies natural gas to Hope, which increase has not taken effect but has been suspended by the Commission by order of even date herewith.

The rates, charges and classifications set forth in Sixth Revised Sheet No. 3, Fourth Revised Sheet No. 3—A, Fifth Revised Sheet No. 4, Fourth Revised Sheet No. 4. Fourth Revised Sheet No. 5 to Hope's FPC Gas Tariff, Original Volume No. 1, comprising the proposed new Rate Schedules H-1A, H-1B, H-2A, H-2B and H-3 may be unjust, unreasonable, unduly discriminatory and preferential, and may place an undue burden upon the ultimate consumers of the natural gas.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges and classifications set forth in Hope Natural Gas Company's Sixth Revised Sheet No. 3, Fourth Revised Sheet No. 3-A, Fifth Revised Sheet No. 4, Fourth Revised Sheet No. 4-A and Second Revised Sheet No. 5 to its FPC Gas Tariff, Original Volume No. 1, and that said tariff sheets filed on this proceeding be suspended pending hearing and decision thereon.

The Commission orders:

(A) A public hearing be held at a date and place hereinafter to be fixed by the Commission concerning the lawfulness of the rates, charges and classifications subject to the jurisdiction of the Commission, as set forth in Sixth Revised Sheet No. 3, Fourth Revised Sheet No. 4, Fourth Revised Sheet No. 4, Fourth Revised Sheet No. 4, Fourth Revised Sheet No. 5 to FPC Gas Tariff, Original Volume No. 1, filed by Hope Natural Gas Company.

(B) Pending such hearing and decision thereon, said tariff sheets filed in this proceeding by Hope Natural Gas Company on August 15, 1952, be and they hereby are suspended and the use thereof is deferred until February 15, 1953, and until such further time thereafter as such tariff sheets may be made effective in the manner prescribed by the Nat-

ural Gas Act.

(C) Interested State commissions may participate as provided by § 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: September 12, 1952. By the Commission,

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10166; Filed, Sept. 17, 1952; 8:53 a. m.]

#### [Docket No. G-2052]

TENNESSEE GAS TRANSMISSION CO.

ORDER SUSPENDING PROPOSED RATE SCHED-ULES, IN PART AND PROVIDING FOR HEAR-ING

SEPTEMBER 11, 1952.

On August 15, 1952, Tennessee Gas Transmission Company (Tennessee), filed with the Commission proposed rate schedules consisting of tariff sheets contained in Third Revised Volume No. 1 and First Revised Volume No. 2 of its FPC Gas Tariff, designed to supersede Second Revised Volume No. 1 and Original Volume No. 2 of said tariff, to become effective September 15, 1952, whereby Tennessee proposes a system-wide rate increase for the sale for resale and transportation of natural gas in interstate commerce.

According to Tennessee's estimates, the proposed rate schedules would increase the presently effective rates and charges for such sale and transportation by a total of approximately \$17,850,000 for the year ending August 31, 1953, distributed among the companies and communities and in the amounts set out in Appendix A hereto.

Tennessee avers that the proposed increased rates are necessitated by reason of claimed increases in cost of gas, labor,

services, material and supplies.

Copies of the proposed rate schedules, together with copies of material submitted by Tennessee to this Commission, were transmitted by Tennessee to each of its interstate wholesale customers and transportation service customers and to the State commissions concerned. Many of the State commissions and customer companies have protested the increase and have requested suspension and hearing.

Tennessee's proposed rate schedules include Rate Schedule GS-1 for general service to customers in its Zone 1 having a maximum demand on Tennessee of less than 5,000 Mcf of gas per day. This proposed rate schedule provides for a straight commodity rate of 26.64 cents per Mcf. Such rate is equivalent to the rate proposed to larger customers in that zone at 50 percent load factor. This proposed rate schedule, however, will reduce the rates to several of Tennessee's smaller customers and will increase them to none. It therefore appears appropriate to permit this rate to become effective pending investigation.

The rates, charges and classifications set forth in the rate schedules contained in Third Revised Volume No. 1 and First Revised Volume No. 2 to Tennessee's FPC Gas Tariff, including said Rate Schedule GS-1, may be unjust, unreasonable, unduly discriminatory and preferential, and may place an undue burden upon the ultimate consumers of the natural gas.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in sections 4 and 5 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications and services set forth in Third Revised Volume No. 1 and First Revised Volume No. 2 of Tennessee's FPC Gas Tariff; and that pending hearing and decision thereon, said Third Revised Volume No. 1 and First Revised Volume No. 2 of Tennessee's FPC Gas Tariff be suspended, except to the extent that provision is made therein for Rate Schedule GS-1.

The Commission orders:

(A) A public hearing be held at a date and place hereafter to be fixed by the Commission concerning the lawfulness of the rates, charges, classifications and services, subject to the jurisdiction of the Commission, as set forth in Third Revised Volume No. 1 and First Revised Volume No. 2 of FPC Gas Tariff, filed by Tennessee Gas Transmission Company.

(B) If, after hearing, the Commission shall find that any rate, charge, classification, service, rule, regulation or practice set forth in the aforesaid tariff sheets, filed on August 15, 1952, by Tennessee, is unjust, unreasonable, unduly discriminatory or preferential, it will determine and fix by appropriate order just, reasonable and non-discriminatory rates, charges, classifications, services, rules, regulations and practices to be thereafter observed and in force.

(C) Pending such hearing and decision thereon, said Third Revised Volume No. 1 and First Revised Volume No. 2 of Tennessee's FPC Gas Tariff, filed on August 15, 1952, except to the extent that provision is made therein for Rate Schedule GS-1, be and the same hereby are suspended and the use thereof is deferred until February 15, 1953, and until such further time thereafter as such tariff sheets may be made effective in the manner prescribed by the Natural Gas Act.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: September 12, 1952, By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

APPENDIX A—TENNESSEE GAS TRANSMISSION COMPANY

DISTRIBUTION OF INCREASE FOR 12 MONTHS END-ING AUGUST 21, 1952

ING AUGUST 31, 1953	
Purchaser	
New York zone:	Increase
Iroquois Gas Corp	8488, 100
New York State Natural Gas	445, 504
Northeastern Gas Transmission	- Annahaman
Co	1, 124, 275
Republic L H & P Co	23, 315
Subtotal, New York zone	2 081 194
Northern zone:	100000
The East Ohio Gas Co	612, 200
Equitable Gas Co	459, 150
Ellis T. Myers Gas Co	6, 283
Pennsylvania Gas Co	153, 050
Peoples Natural Gas Co	306, 100
United Natural Gas Co	153, 050
Lake Shore Pipe Line Co	72, 273
Subtotal, Northern zone	1, 762, 106
Eastern zone:	
Godfrey L. Cabot, Inc	72, 875
Cumberland Gas Corp	14, 575
Hope Natural Gas Co	3, 279, 375
United Fuel Gas Co	5, 846, 542
Subtotal, Eastern zone	9, 213, 367
Central zone:	
Inland Gas Corp	272, 500
Louisville Gas & Electric	284, 200
City of Morehead, Kentucky	6, 483
Texas Gas Transmission Corp	17, 054
United Fuel Gas Co	1,065,750
Western Kentucky Gas Co	87, 230
Subtotal, Central zone	1, 733, 217

Purchaser	Increase
Southern zone:  Alabama-Tennessee Natural Town of Dickson, Tenn East Tennessee Natural Gas Lobelville Gas Co City of Portland, Tenn Springfield, Tenn Tennessee Natural Gas Lines_ Texas Gas Trans. Corp Town of Batesville, Miss City of Holly Springs, Miss	306, 031 (3, 069) 1, 487, 616 (866) (1, 650) 5, 057
New Albany & Pentotoc, Miss- Ripley, Booneville & Baldwyn- United Gas Pipe Line Co- Town of Chatham, La- Village of Robeline, La-	10, 230 11, 099 47, 963 261 199
Subtotal, Southern zone	2, 521, 023
Total sales, all zones	
Total interstate sales and transportation	17, 849, 707

[Docket No. G-2053] COMMONWEALTH NATURAL GAS CO.

(F. R. Doc. 52-10167; Filed, Sept. 17, 1952;

8:53 a. m.

ORDER SUSPENDING PROPOSED TARIFF

SEPTEMBER 11, 1952.

On August 15, 1952, Commonwealth Natural Gas Company (Commonwealth) filed with the Commission First Revised Sheets Nos. 5 and 8 and Second Revised Sheet No. 8B of its FPC Gas Tariff, Original Volume No. 1, to supersede corresponding tariff sheets effective March 19, 1952, under bond in Docket No. G-1815, to be effective October 9, 1952.

Said proposed tariff sheets, as filed, would result in an increase in the commodity charge component of the rate for natural-gas service of 4.7 cents per Mcf. There are also proposed changes in the billing adjustment for heat content variation. The proposed increase in charges would result in annual increase payments by Commonwealth's customers amounting to \$516,400, which is an increase of about 16 percent based on estimated sales for the year ending August 31, 1953. Commonwealth states that the rate increase is necessitated principally by a proposed increase by Commonwealth's supplier, Virginia Gas Transmission Corporation. Such higher rates of Virginia Gas Transmission Corporation are, however, not presently effective, have not been shown to be fully justified, and are being suspended by order of the Commission issued concurrently with the order herein.

The increased rates and charges provided in said First Revised Sheets Nos. 5 and 8 and Second Revised Sheet No. 8B have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise

As required by § 154.16 of the Commission's regulations under the Natural Gas Act, a copy of said proposed tariff sheets have been sent to each customer of Commonwealth which would be effected thereby, Petersburg and Hopewell Gas Company, a customer of Commonwealth, has filed objections to the proposed increased charge, and has requested that said tariff sheets be suspended or rejected.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of such act, concerning the lawfulness of First Revised Sheets Nos. 5 and 8 and Second Revised Sheet No. 8B of Commonwealth's FPC Gas Tariff, Original Volume No. 1, and that said sheets be suspended as hereinafter provided and the use thereof be deferred pending hearing and decision herein.

The Commission orders:

(A) Pursuant to the authority contained in section 4 of the Natural Gas Act, a public hearing be held upon a date to be fixed by further order of the Commission concerning the lawfulness of rates, charges, and classifications contained in the aforesaid Commonwealth's First Revised Sheets Nos. 5 and 8 and Second Revised Sheet No. 8B.

(B) Pending such hearing and decision thereon, First Revised Sheets Nos. 5 and 8 and Second Revised Sheet No. 8B, of Commonwealth Natural Gas Company's FPC Gas Tariff, Original Volume No. 1 be and the same are hereby suspended and the use thereof deferred until March 9, 1953, and until such further time as such sheets may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and pro-

Date of issuance: September 12, 1952. By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10168; Filed, Sept. 17, 1952; 8:53 a. m.

[Docket No. G-2054]

ATLANTIC SEABOARD CORP. AND VIRGINIA GAS TRANSMISSION CORP.

ORDER SUSPENDING PROPOSED TARIFFS

SEPTEMBER 11, 1952.

On September 8, 1952, the Atlantic Seaboard Corporation (Atlantic) filed with the Commission its FPC Gas Tariff, Fifth Revised Volume No. 1 and Virginia Transmission Corporation (Virginia) filed its Third Revised Volume No. I to supersede their present tariffs effective under bond in Docket No. G-1806.3

These proposed tariffs, as filed, would result in an increase in the commodity charge component of the rate for natural-gas service of 4.7 cents per Mcf. The proposed increase in charges would result in annual increased payments by customers of Atlantic and Virginia amounting to about \$4,318,000 which is an increase of 14.4 percent based on estimated sales for the year ending August 31, 1953. Atlantic and Virginia state that the rate increase is necessitated principally by the proposed rate increase by their supplier, United Fuel Gas Com-Such higher rates of United Fuel Gas Company are, however, not presently effective, have not been shown to be fully justified, and are being suspended by order of the Commission issued concurrently with the order herein.

The increased rates and charges provided in said Fifth Revised Volume No. 1 and Third Revised Volume No. 1 have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise un-

As required by § 154.16 of the Commission's regulations under the Natural Gas Act, copies of said proposed tariffs have been sent to each customer of Atlantic and Virginia which would be affected thereby. All non-affiliated customers have filed protests to the proposed increased charges.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of such act, concerning the lawfulness of Atlantic's Fifth Revised Volume No. 1 and Virginia's Third Revised Volume No. 1, and that said tariffs be suspended as hereinafter provided and the use thereof be deferred pending hearing and decision herein.

The Commission orders:

(A) Pursuant to the authority contained in section 4 of the Natural Gas Act, a public hearing be held upon a date to be fixed by further order of the Commission concerning the lawfulness of rates, charges, and classifications contained in the aforesaid tariffs.

(B) Pending such hearing and decision thereon, said Atlantic's FPC Gas Tariff, Fifth Revised Volume No. 1 and Virginia's FPC Gas Tariff, Third Revised Volume No. 1 be and the same are hereby suspended and the use thereof deferred until March 9, 1953, and until such further time as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State Commissions may participate as provided by §§ 1.8 and 1,37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and pro-

Date of issuance: September 12, 1952, By the Commission.

[SEAL]

LEON M. FUQUAY. Secretary.

[F. R. Doc. 52-10169; Filed, Sept. 17, 1952; 8:53 a. m.]

<sup>&</sup>lt;sup>1</sup> Commonwealth requested that its filing become effective simultaneously with that of Virginia Gas Transmission Corporation which was accepted for filing on September 8, 1952,

Atlantic and Virginia submitted incomplete filings on August 15, 1952. Thereafter, on September 8, 1952 additional information was submitted by the two companies which made their proposed tariffs acceptable for filing pursuant to the Commission's rules and regulations.

[Docket No. G-2055] United Fuel Gas Co.

ORDER SUSPENDING PROPOSED TARIFF

SEPTEMBER 11, 1952.

On August 15, 1952, the United Fuel Gas Company (United Fuel) filed with the Commission its FPC Gas Tariff, Third Revised Volume No. 1, to supersede its present tariff effective under bond in Docket No. G-1781.

Said Third Revised Volume No. 1, as filed, would result in an increase in the commodity charge component of the rate for natural-gas service from 17.25 cents per Mcf to 20.35 cents per Mcf. The proposed increase in charges would result in annual increased payments by United Fuel's customers amounting to \$6,974,000, which is an increase of 11.9 percent based on estimated sales for the year ending August 31, 1953. United Fuel states that the rate increase is necessitated principally by the proposed increase by United Fuel's supplier, Tennessee Gas Transmission Company, filed concurrently with that of United Fuel. Such higher rates of Tennessee Gas Transmission Company, are, however, not presently effective, have not been shown to be fully justified, and are being suspended by order of the Commission issued concurrently with the order

The increased rates and charges provided in said Third Revised Volume No. 1 have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

As required by § 154.16 of the Commission's regulations under the Natural Gas Act, a copy of said Third Revised Volume No. 1 has been sent to each customer of United Fuel which would be affected thereby, and also to the State Commissions of West Virginia, Kentucky, Pennsylvania and Ohio. The Portsmouth Gas Company, United Fuel's only non-affiliated customer, has filed objections to the proposed increased charge, and has requested that said Third Revised Volume No. 1 be suspended or rejected.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of such act, concerning the lawfulness of United Fuel's FPC Gas Tariff, Third Revised Volume No. 1, and that said Third Revised Volume No. 1 be suspended as hereinafter provided and the use thereof be deferred pending hearing and decision herein.

The Commission orders:

(A) Pursuant to the authority contained in section 4 of the Natural Gas Act, a public hearing be held upon a date to be fixed by further order of the Commission concerning the lawfulness of rates, charges, and classifications contained in the aforesaid United Fuel Gas Company's FPC Gas Tariff, Third Revised Volume No. 1.

(B) Pending such hearing and decision thereon, said United Fuel Gas Company's FPC Gas Tariff, Third Revised Volume No. 1 be and the same is hereby suspended and the use thereof is deferred until February 15, 1953, and until such further time as United Fuel's Third Revised Volume No. 1 may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure

Date of issuance: September 12, 1952. By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10170; Filed, Sept. 17, 1952; 8:54 a. m.]

[Docket No. G-2056]

CENTRAL KENTUCKY NATURAL GAS CO.

ORDER SUSPENDING PROPOSED TARIFF

SEPTEMBER 11, 1952.

On August 15, 1952, Central Kentucky Natural Gas Company (Central Kentucky) filed with the Commission its FPC Gas Tariff, Third Revised Volume No. 1 to supersede its present tariff effective under bond in Docket No. G-1791.

Said Third Revised Volume No. 1, as filed, would result in an increase in the commodity charge component of the rate for natural gas sold from 21.0 cents per Mcf to 23.25 cents per Mcf. The proposed increase in charges would result in annual increased payments by Central Kentucky's customers amounting to \$1,085,000, which is an increase of 6.7 percent, based on estimated sales for the twelve-month period ending August 31, 1953. Central Kentucky states that the proposed increase is necessitated principally by the proposed increase by Central Kentucky's supplier, United Fuel Gas Company, filed concurrently with that of Central Kentucky. Such higher rates of United Fuel Gas Company are, however, not presently effective, have not been shown to be fully justified, and are being suspended by order of the Commission issued concurrently with the order herein.

The increased rates and charges provided in said Third Revised Volume No. 1 have not been shown to be justified and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

As required by § 154.16 of the Commission's regulations under the Natural Gas Act, a copy of said Third Revised Volume No. 1 has been sent to each customer of Central Kentucky which would be affected thereby. Several customers have filed protests and objections to the proposed increase.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of such act, concerning the lawfulness of

Central Kentucky's FPC Gas Tariff, Third Revised Volume No. 1, and that said Third Revised Volume No. 1 be suspended as hereinafter provided and the use thereof be deferred pending hearing and decision herein.

The Commission orders:

(A) Pursuant to the authority contained in section 4 of the Natural Gas Act, a public hearing be held upon a date to be fixed by further order of the Commission concerning the lawfulness of rates, charges, and classifications contained in the aforesaid Central Kentucky Natural Gas Company's FPC Gas Tariff, Third Revised Volume No. 1.

(B) Pending such hearing and decision thereon, said Central Kentucky Natural Gas Company's FPC Gas Tariff, Third Revised Volume No. 1 be and the same is hereby suspended and the use thereof is deferred until February 15, 1953, and until such further time thereafter as said Third Revised Volume No. 1 may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f) of the Commission's rules of practice and procedure.

Date of issuance: September 12, 1952. By the Commission.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 82-10171; Piled, Sept. 17, 1952; 8:54 a. m.]

[Project No. 1169]

W. H. WELCH

NOTICE OF ORDER ISSUING NEW LICENSE (MINOR)

SEPTEMBER 12, 1952.

Notice is hereby given that on August 21, 1952, the Federal Power Commission issued its order entered August 19, 1952, issuing new license (Minor) in the above-entitled matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10156; Filed, Sept. 17, 1952; 8:50 a. m.]

[Project No. 2065]

THOMAS S. AND K. DOLORES DODD

NOTICE OF ORDER DISMISSING APPLICATION AND RESCINDING ORDER ISSUING LICENSE

SEPTEMBER 12, 1952.

Notice is hereby given that on September 11, 1952, the Federal Power Commission issued its order entered September 9, 1952, dismissing application for license (Minor) and rescinding order issuing license in the above-entitled matter.

[SEAL]

LEON M. FUQUAY, Secretary.

[F. R. Doc. 52-10157; Filed, Sept. 17, 1952; 8:50 a. m.]

# INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27389]

LIQUEFIED PETROLEUM GAS FROM DAWES, W. VA., TO CENTRAL TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff I. C. C. No. 4446, pursuant to fourth-section order No. 17220

Commodities involved: Liquified petroleum gas, in tank-car loads.

From: Dawes, W. Va.

To: Points in central territory.

Grounds for relief: Competition with rail carriers and circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

GEORGE W. LAIRD, Acting Secretary.

[F. R. Doc. 52-10172; Filed, Sept. 17, 1952; 8:54 a. m.]

[4th Sec. Application 27390]

CHEESE AND OLEOMARGARINE BETWEEN POINTS IN SOUTHERN TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1331.

Commodities involved: Cheese and oleomargarine, carloads.

Between: Points in southern territory.

Grounds for relief: Rail and motor competition, circuity, and to apply rates constructed on the basis of the short line distance formula.

No. 183-5

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1331.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

George W. Laird, Acting Secretary.

[F. R. Doc. 52-10173; Filed, Sept. 17, 1952; 8:45 a. m.]

[4th Sec. Application 27391]

MIXED CARLOADS OF MERCHANDISE FROM NORTH ATLANTIC COASTAL CITIES TO LOUISIANA AND FLORIDA

APPLICATION FOR RELIEF

SEPTEMBER 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe,

Filed by: C. W. Boin and I. N. Doe, Agents, for carriers parties to Agent Boin's tariff I. C. C. No. A-936.

Commodities involved: Merchandise, in mixed carloads.

From: Baltimore, Md., Philadelphia, Pa., New York, N. Y., Boston, Mass., and points grouped therewith.

To: Baton Rouge and New Orleans, La., Jacksonville, South Jacksonville, Miami, Tampa, Ocala, and Orlando, Fla. Grounds for relief: Rail and motor

competition, circuity, and grouping.
Schedules filed containing proposed
rates: C. W. Boin, Agent, I. C. C. No.

A-936, Supp. 6.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL]

George W. Lairb.
Acting Secretary.

[F. R. Doc. 52-10174; Filed, Sept. 17, 1952; 8:55 a. m.]

[4th Sec. Application 27392]

PROPORTIONAL RATES ON WATERMELONS
FROM SOUTHWEST TO MISSISSIPPI RIVER
CROSSINGS IN ILLINOIS

APPLICATION FOR RELIEF

SEPTEMBER 15, 1952.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-shorthaul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No.

3705.

Commodities involved: Watermelons, carloads.

From: Points in New Mexico, Oklahoma, Texas, and Arkansas.

To: East Burlington, East Clinton, East Dubuque, and other east-bank Mississippi River crossings in the state of Illinois (on traffic destined to Canada)

Illinois (on traffic destined to Canada).
Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3705, Supp. 88.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD, Acting Secretary.

[F. R. Doc. 52-10175; Filed, Sept. 17, 1952; 8:55 a. m.]

# SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2574]

SOUTHERN CO. ET AL.

SUPPLEMENTAL ORDER RELEASING JURISDIC-TION OVER FEES AND EXPENSES

SEPTEMBER 12, 1952.

In the matter of the Southern Company, Alabama Power Company, Georgia Power Company, Gulf Power Company, Mississippi Power Company; File No. 70-2574.

The Commission, by orders dated March 21, 1951, and April 3, 1951, having granted and permitted to become effective a joint application-declaration, and amendments thereto, filed pursuant to the act by the Southern Company ("Southern"), a registered holding company, and its four public utility subsidiaries, Alabama Power Company, Georgia Power Company, Guif Power Company, and Mississippi Power Company, with respect to the issuance and sale by Southern of 1,000,000 shares of \$5 par value common stock and the investment of the proceeds, together with treasury funds, in additional shares of the common stocks of the above-named subsidiaries, and the Commission having released jurisdiction over the payment of all fees and expenses in connection therewith, except the payment of the legal fee and expenses of Winthrop, Stimson, Putnam & Roberts, counsel for Southern; and

The record having been completed with respect to the proposed fee and expenses of said counsel in the amounts of \$10,000 and \$100, respectively; and

It appearing to the Commission that such fee and expenses, in the amounts stated, are not unreasonable and that jurisdiction with respect thereto should be released:

It is ordered. That the jurisdiction heretofore reserved over the payment of the legal fee and expenses of counsel for Southern be, and the same hereby is, released.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.-R. Doc. 52-10162; Filed, Sept. 17, 1952; 8:52 a. m.]

[File No. 70-2917]

OKLAHOMA GAS AND ELECTRIC CO. AND STANDARD GAS AND ELECTRIC CO.

ORDER REGARDING AMENDMENTS TO ARTICLES OF INCORPORATION AND BY-LAWS OF SUB-SIDIARY COMPANY AND SOLICITATION OF STOCKHOLDERS

SEPTEMBER 12, 1952.

Standard Gas and Electric Company ("Standard"), a registered holding company, and Oklahoma Gas and Electric Company ("Oklahoma"), a public utility subsidiary of Standard, having filed a declaration and an amendment thereto pursunt to sections 6 (a), 7 and 11 (b) of the act and Rules U-62 and U-65 promulgated thereunder with respect to the following transactions:

It is proposed that the articles of incorporation and the by-laws of Oklahoma be amended in order to bring them into conformity with the standards of the Commission and, in connection with such proposed amendments, Oklahoma proposes to solicit proxies to be used at a special meeting of stockholders to be held on September 30, 1952. The proposed amendments will:

(1) Set forth the preemptive rights of the holders of the Common Stock and 4 Percent Cumulative Preferred Stock to purchase pro rata any additional stock of the particular class held by them offered for sale for cash prior to any sale of such stock to others;

(2) Provide that Oklahoma shall not merge or sell all or substantially all of its assets without the affirmative vote of a majority of the total voting power of the outstanding shares entitled to vote;

(3) Place limitations on the authority of the Board of Directors of Oklahoma to adopt or alter the by-laws of the company without a stockholder vote;

(4) Redefine the Directors' rights to indemnification by the company; and (5) Afford a liberalized right to the

(5) Afford a liberalized right to the stockholders to initiate the calling of special meetings.

The amended declaration states that adoption of the amendments to the Amended Articles of Incorporation will require the affirmative vote of a majority of the total voting power of the outstanding shares of 4 percent Cumulative Preferred Stock and Common Stock, and in addition the affirmative vote of the holders of a majority of the outstanding shares of Common Stock by a separate class vote. It is stated that the company will solicit proxies by mail and may also make direct solicitations through its officers and other regular employees of the company. Authority to solicit proxies is not sought in connection with the proposed amendments to the by-laws.

Oklahoma estimates that its total expenses in connection with the proposed transactions will be \$5,500, including printing (\$1,500), postage (\$900), attorneys' fees (\$1,800) and miscellaneous (\$1,300).

Appropriate notice of said filing having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission not having received a request for a hearing with respect to said declaration, as amended, within the period specified in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the declaration, as amended, that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that said declaration, as amended, be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration, as amended, be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary

[F. R. Doc. 52-10161; Filed, Sept. 17, 1952; 8:51 a. m.]

# ECONOMIC STABILIZATION AGENCY

Office of the Administrator

Assistant Economic Stabilization Administrator (Operations), Deputy Assistant Economic Stabilization Director, and General Counsel

DELEGATION OF AUTHORITY TO ACT AS ECONOMIC STABILIZATION ADMINISTRATOR (REVISION 1)

Legal basis. By virtue of the authority vested in the Economic Stabilization Administrator by E. O. 10161 of September 9, 1950 (15 F. R. 6105), as amended; E. O. 10182 of November 21, 1950 (15 F. R. 8013), as amended; E. O. 10205 of January 16, 1951 (16 F. R. 419); E. O. 10233 of April 21, 1951 (16 F. R. 3503); E. O. 10276 of July 31, 1951 (16 F. R. 7535), as amended; E. O. 10281 of August 28, 1951 (16 F. R. 8789); E. O. 10290 of September 24, 1951 (16 F. R. 9795); E. O. 10293 of September 27, 1951 (16 F. R. 9927); and E. O. 10377 of July 25, 1952 (17 F. R. 6891), this revision of previous redelegations of authority by the Economic Stabilization Administrator (16 F. R. 10009; 16 F. R. 12411) is hereby issued.

Redelegation in absence of the Administrator. Whenever the Economic Stabilization Administrator is absent from the City of Washington, D. C., the redelegable functions delegated to him by the foregoing Executive Orders are hereby further redelegated to the following officers of this Agency, under the circumstances, and in the alternative order described below.

First. To the Deputy Administrator. Second. In the event that there be no Deputy Administrator, or that he be absent from the city, then to the Assistant Administrator (Operations).

Third. In the event that there be no Deputy Administrator and no Assistant Administrator (Operations) or that both of them be absent from the city, then to the Deputy Assistant Administrator (Operations).

Fourth. In the event that there be no Deputy Administrator, and no Assistant Administrator (Operations), and no Deputy Assistant Administrator (Operations), or that all three of them be absent from the city, then to the General Counsel.

The foregoing redelegated authority, in the order of alternatives described above, shall be exercised by the officer acting under said authority, as Acting Economic Stabilization Administrator.

All prior orders of the Economic Stabilization Agency are hereby amended to conform with this delegation of authority.

This revision of internal delegation of authority shall take effect upon filing with the Division of the Federal Register.

ROGER L. PUTNAM.
Administrator.

[F. R. Doc. 52-10236; Filed, Sept. 16, 1952; 2:54 p. m.]

[Determination No. 123]

WILLIAMSPORT, PA., CRITICAL DEFENSE HOUSING AREA

APPROVAL OF EXTENT OF RELAXATION OF CREDIT CONTROLS

Section 1. Authority. This action is taken pursuant to the authority conferred by the Housing and Rent Act of 1947, as amended (Pub. Law 129, 80th Cong., as amended by Pub. Laws 422 and 464, 80th Cong., Pub. Laws 31, 574, and 880, 81st Cong.; and Pub. Laws 8, 69, and 96, 82d Cong.); and more particularly section 204 (m) of Public Law 96; and the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., as amended by Pub. Law 96, 82d Cong.); and Executive Order 10161 of September 9, 1950, and Executive Order 10276 of July 31, 1951; and as implemented by

Economic Stabilization Agency Order No. 9 of July 31, 1951.

SEC. 2. Determination. In view of the joint determination and certification by the Secretary of Defense and the Acting Director of Defense Mobilization, dated September 12, 1952, that the Williamsport, Pennsylvania, area (this area consists of the Townships of Anthony, Armstrong, Bastress, Brady, Clinton, Eldred, Fairfield, Hepburn, Limestone, Loyalsock, Lycoming, Mifflin, Mill Creek, Muncy, Muncy Creek, Nippenose, Old Lycoming, Piatt, Porter, Susquehanna, Upper Fairfield, Washington, Watson, Wolf, and Woodward; also the Boroughs of Duboistown, Hughesville, Jersey Shore, Montgomery, Montoursville, Muncy, Picture Rocks, Salladasburg, and South Williamsport; and the City of Williamsport, all in Lycoming County,

Pennsylvania), is a critical defense housing area, and in view of the defense housing program announced for the said area on April 12, 1952, by the Administrator of the Housing and Home Finance Agency, with the concurrence of the Board of Governors of the Federal Reserve System, it is hereby determined, after due consideration of relevant factors, that real estate construction credit controls have been relaxed in the Williamsport, Pennsylvania, critical defense housing area to the extent necessary to encourage construction of housing for defense workers and military personnel.

ROGER L. PUTNAM, Administrator.

SEPTEMBER 16, 1952,

[F. R. Doc. 62-10261; Filed, Sept. 17, 1952; 10:03 n. m.]

